

AGENDA
MACON COUNTY BOARD MEETING
May 11, 2023, 6:00 P.M.
141 SOUTH MAIN, ROOM 514
DECATUR, ILLINOIS

Caucus meetings will begin at 5:30 p.m. – NOTE that caucus meetings will not be broadcast via phone, web or other method. Only board members who are physically present at the caucus meetings will be permitted to participate. Caucus meetings are open to members of the public who wish to attend in person.

Republican Caucus will be held on the 4th floor of the County Building (room 414). Democratic Caucus will be held on the 8th floor of the County Building (room 804) Caucuses are open meetings and public comment is allowed. *Please note that public comment at caucus meetings may be limited such that all Board members may arrive at the County Board meeting on time at 6:00 p.m.*

Caucus Agendas: Any and all items appearing on the agenda for the County Board meeting may be discussed. Final action occurs only at the County Board meeting.

- 1. CALL TO ORDER**
- 2. ROLL CALL**
- 3. OPENING PRAYER**
- 4. PLEDGE OF ALLEGIANCE**
- 5. PROCLAMATIONS AND RECOGNITIONS**
- 6. CONSENT CALENDAR:**
Appointments by the Chair-

G-5529-05-23 Macon County Board Resolution Appointment to the Macon County Merit Commission- Brenda Reed

G-5530-05-23 Macon County Board Resolution Reappointment to the Macon County Board of Review- Brittany Lamb

G-5531-05-23 Macon County Board Resolution Reappointment to the Sanitary District Board of Trustees- Argenta Sanitary District- Jeff Grider

**G-5532-05-23 Macon County Board Resolution Reappointment to Public Aid Committee
-Kevin Greenfield, Martha Dalton, Lisa Stanley, Marcia Potrafka,
-John Trusner, Jr, Jay Lawler**

- G-5534-05-23 Macon County Board Resolution Reappointment to the Macon County Health Board- Jeff Entler**
 - G-5548-05-23 Macon County Board Resolution Reappointment to the Macon County Health Board- Dr. Jeff Smith**
 - G-5549-05-23 Macon County Board Resolution Reappointment to the Macon County Health Board- Jan Hack**
 - G-5550-05-23 Macon County Board Resolution Reappointment to the Warrensburg Fire Protection District- Cindy Hundley**
 - G-5551-05-23 Macon County Board Resolution Reappointment to the Cisco Fire Protection District- Gregg Briggs**
 - G-5552-05-23 Macon County Board Resolution Reappointment to the Blue Mound Countryside Fire Protection District- Peter Pistorius**
 - G-5553-05-23 Macon County Board Resolution Reappointment to the Hickory Point Fire Protection District- Williams Voorhees**
 - G-5554-05-23 Macon County Board Resolution Reappointment to the South Macon Fire Protection District- Todd Collins**
 - G-5555-05-23 Macon County Board Resolution Appointment to the Macon County Emergency Telephone System Board- Matthew Jedlicka**
 - G-5556-05-23 Macon County Board Resolution Reappointment to the Macon County Mental Health Board- Stephen Rathnow**
- Approval of Minutes of Prior Meeting- (04-13-2023)*

Claims-

Correspondence-

Delinquent Tax Deeds-

7. OPERATIONS & PERSONNEL COMMITTEE

- G-5540-05-23 Macon County Board Resolution Approving Blue Cross Blue Shield Health Insurance Proposal from Arthur J Gallagher & Co.**
- G-5541-05-23 Macon County Board Resolution Approving One Year Blue Cross Blue Shield of IL Dental Insurance Proposal from AJ Gallagher & Co.**
- G-5542-05-23 Macon County Board Resolution Approving Employee Vision Plan Proposal with Eyemed**
- G-5543-05-23 Macon County Board Resolution Approving Employer Paid Group Term Life Insurance with Blue Cross Blue Shield**

- G-5544-05-23 **Macon County Board Resolution Approving Employee Paid Voluntary Group Term Life Insurance with Blue Cross Blue Shield**
- G-5545-05-23 **Macon County Board Resolution Authorizing the SUBAWARD of Macon County ARPA/SLFRF Funds to Workforce Investment Solutions**
- G-5546-05-23 **Macon County Board Resolution Approving A Budget Amendment For Workforce Investment Solutions FY'23 Budget-WIOA Statewide Rapid Response**
- 8. **ENVIRONMENTAL, EDUCATION, HEALTH & WELFARE COMMITTEE**
- O-146-05-23 **Macon County Board Ordinance Adopting Chapter 156 of the Macon County Code (Solar Energy Facility Siting Ordinance)**
- O-147-05-23 **Macon County Board Ordinance Amending Chapter 153 of the Macon County Code (Wind Energy Conversion Systems Siting Ordinance)**
- G-5547-05-23 **Macon County Board Resolution Setting Fees for Special Use Applications and Building Permit Fees for Wind Energy Facilities and Solar Energy Facilities**
- 9. **JUSTICE COMMITTEE**
- G-5535-05-23 **Macon County Board Resolution Approving Increase in the Circuit Clerk General Fund Budget for Jury Fees for Fiscal Year 2023**
- G-5536-05-23 **Macon County Board Resolution Authorizing the SUBAWARD of Macon County ARPA/SLFRF Funds to EMA**
- G-5537-05-23 **Macon County Board Resolution Approving Permission to Dispose of Damaged Firearm**
- G-5538-05-23 **Macon County Board Resolution Approving Permission to Dispose of Surplus Equipment**
- G-5539-05-23 **Macon County Board Resolution Approving the Purchase of a Replacement Vehicle and Related Equipment for EMA**
- 10. **FINANCE COMMITTEE**
- G-5533-05-23 **Macon County Board Resolution Approving the 4/13/2023 Macon County Treasurer's Office Investment Policy**
- G-5557-05-23 **Macon County Board Resolution Authorizing Funding Plan for CH24 Reas Bridge Road Project**
- H-2326-5-23 **Macon County Board Resolution Approving A Candidate to Take The Examination for County Engineer**
- 11. **OLD BUSINESS:**

12. NEW BUSINESS

13. PUBLIC COMMENT:

-Garbage Service-

(Limited to 3 minutes per person and for a total of 20 minutes)

An opportunity for public comment will be provided to all those persons who are physically present and wish to do so, subject to the time restrictions set forth above.

14. OFFICE HOLDERS, DEPARTMENT HEADS & EMPLOYEE COMMENTS

15. CLOSED SESSION-

Closed to the Public

16. ADJOURNMENT –

-Next Meeting June 08th, 2023

**MACON COUNTY BOARD RESOLUTION
APPOINTMENT TO THE MACON COUNTY
MERIT COMMISSION
– Brenda Reed**

RESOLUTION NO. G-5529-05-23

WHEREAS, in accordance with 55 ILCS 5/3-8003 Appointment of Merit Commission, the Macon County Sheriff recommends the following individuals be appointed for the remaining term set to expire May 31, 2027 replacing Shelith Hansbro, and the Board Chairman concurs:

Brenda M. Reed
902 S. Belmont
Decatur, IL 62521
Term Expires: May 31, 2027

NOW, THEREFORE, BE IT RESOLVED by the Macon County Board that it hereby approves the appointment of Brenda Reed to the Macon County Merit Commission for the remaining term of four years set to expire May 31, 2027.

BE IT FURTHER RESOLVED that this resolution shall become effective upon the adoption thereof.

PRESENTED, PASSED, APPROVED this 11th day of May, 2023

AYES _____ NAYS _____

MACON COUNTY BOARD
MACON COUNTY, ILLINOIS

ATTEST:

BY:

Josh Tanner, Clerk for the
County of Macon, State of Illinois

Kevin R. Greenfield, Chairman
Macon County Board

**MACON COUNTY BOARD RESOLUTION
REAPPOINTMENT TO THE MACON COUNTY
BOARD OF REVIEW
– Brittany Lamb**

RESOLUTION NO. G-5530-05-23

WHEREAS, it is the desire of the Macon County Board Chairman to reappoint Brittany Lamb, to the Macon County Board of Review for a two year term set to expire May 31, 2025.

Brittany Lamb
4070 Irving Drive
Decatur, IL 62521
Term Expires: May 31, 2025

NOW, THEREFORE, BE IT RESOLVED by the Macon County Board that it hereby approves the reappointment of Brittany Lamb to the Macon County Board of Review for the term of two years set to expire May 31, 2025.

BE IT FURTHER RESOLVED that this resolution shall become effective upon the adoption thereof.

PRESENTED, PASSED, APPROVED this 11th day of May, 2023

AYES _____ NAYS _____

MACON COUNTY BOARD
MACON COUNTY, ILLINOIS

ATTEST:

BY:

Josh Tanner, Clerk for the
County of Macon, State of Illinois

Kevin R. Greenfield, Chairman
Macon County Board

**MACON COUNTY BOARD RESOLUTION
REAPPOINTMENT TO THE SANITARY
DISTRICT BOARD OF TRUSTEES**

- Argenta Sanitary District – Jeff Grider

RESOLUTION NO. G-5531-05-23

WHEREAS, it is the recommendation of the Macon County Board Chairman to reappoint the following individual to the Sanitary District Boards of Trustees to 3 year term set to expire first Monday in May 2026.

Jeff Grider
191 E. Prairie
Argenta, Il 62501
Term Expires: 1st Monday, May, 2026

NOW, THEREFORE, BE IT RESOLVED by the Macon County Board that it hereby approves the reappointment of the above named individual to the Sanitary District Boards of Trustees to terms as indicated.

BE IT FURTHER RESOLVED that this resolution shall become effective upon the adoption thereof.

PRESENTED, PASSED, APPROVED this 11th day of May, 2023

AYES _____ NAYS _____

MACON COUNTY BOARD
MACON COUNTY, ILLINOIS

ATTEST:

BY:

Josh Tanner, Clerk for the
County of Macon, State of Illinois

Kevin R. Greenfield, Chairman
Macon County Board

**MACON COUNTY BOARD RESOLUTION
REAPPOINTMENT TO
PUBLIC AID COMMITTEE**

**-Kevin Greenfield -Marcia Potrafka
-Martha Dalton -John Trusner, Jr
-Lisa Stanley -Jay Lawler**

RESOLUTION NO. G-5532-05-23

WHEREAS, it is the desire of the Board Chairman to reappoint the below named individuals to the Public Aid Committee:

Kevin Greenfield Long Creek Township	Martha Dalton Whitmore Township	Lisa Stanley Decatur Township	Marcia Potrafka Blue Mound Township
John Trusner, Jr Mt. Zion Township	Jay Lawler Oakley Township		

Term Expire: 5-14-26

NOW, THEREFORE, BE IT RESOLVED by the Macon County Board that it hereby reappoints the above named individuals to the Public Aid Committee for a term that is set to expire 5-14-26.

BE IT FURTHER RESOLVED that this resolution shall become effective immediately upon the adoption thereof.

PRESENTED, PASSED and APPROVED this 11th day of May, 2023.

AYES _____ NAYS _____

MACON COUNTY BOARD
MACON COUNTY, ILLINOIS

ATTEST:

BY:

Josh Tanner, Clerk for the
County of Macon, State of Illinois

Kevin Greenfield, Chairman
Macon County Board

**MACON COUNTY BOARD RESOLUTION
REAPPOINTMENT TO THE
MACON COUNTY HEALTH BOARD
- Jeff Entler**

RESOLUTION NO. G-5534-05-23

WHEREAS, it is the desire of the Macon County Board Chairman to reappoint Jeff Entler to the Macon County Health Board for a term of 3 years set to expire May 31, 2026

Jeff Entler
1645 S. St. Louis Bridge Road
Decatur, Illinois, 62521
Term Expires: 5-31-2026

NOW, THEREFORE, BE IT RESOLVED by the Macon County Board that it hereby approves the reappointment of Jeff Entler to the Macon County Health Board for a term of three years set to expire May 31st, 2026.

BE IT FURTHER RESOLVED that this Resolution shall become effective immediately upon the adoption thereof.

PRESENTED, PASSED and APPROVED this 11th day of May, 2023.

AYES _____ NAYS _____

MACON COUNTY BOARD
MACON COUNTY, ILLINOIS

ATTEST:

BY:

Josh Tanner, Clerk for the
County of Macon, State of Illinois

Kevin Greenfield, Chairman
Macon County Board

**MACON COUNTY BOARD RESOLUTION
REAPPOINTMENT TO THE
MACON COUNTY HEALTH BOARD
- Dr. Jeff Smith**

RESOLUTION NO. G-5548-05-23

WHEREAS, it is the desire of the Macon County Board Chairman to appoint Dr. Jeff Smith to the Macon County Health Board for a term of 3 years set to expire on the 31st day of May, 2026,

Dr. Jeff Smith
778 Spyglass Blvd
Forsyth, IL 62535
Term Expires: 5-31-26

NOW, THEREFORE, BE IT RESOLVED by the Macon County Board that it hereby approves the reappointment of Dr. Jeff Smith to the Macon County Health Board for a term set to expire May 31, 2026.

BE IT FURTHER RESOLVED that this Resolution shall become effective immediately upon the adoption thereof.

PRESENTED, PASSED and APPROVED this 11th day of May, 2023.

AYES _____ NAYS _____

MACON COUNTY BOARD
MACON COUNTY, ILLINOIS

ATTEST:

BY:

Josh Tanner, Clerk for the
County of Macon, State of Illinois

Kevin Greenfield, Chairman
Macon County Board

**Macon County Board Resolution
Reappointment to the Macon County
Health Board – Jan Hack**

RESOLUTION NO. G-5549-05-23

WHEREAS, it is the desire of the Macon County Board Chairman to reappoint the following individual to the Macon County Health Board for a term of 3 years set to expire on the 31st of May, 2026.

Jan Hack
1502 E. Terrace Drive
Decatur, IL 62526
Term Expires: 5-31-2026

NOW, THEREFORE, BE IT RESOLVED by the Macon County Board that it hereby approves the reappointment of Jan Hack to the Macon County Health Board for a term set to expire May 31, 2026.

BE IT FURTHER RESOLVED that this resolution shall become effective upon the adoption thereof.

PRESENTED, PASSED, and APPROVED this 11th day of May, 2023.

AYES _____ NAYS _____

MACON COUNTY BOARD
MACON COUNTY, ILLINOIS

ATTEST:

BY:

Josh Tanner, Clerk for the
County of Macon, State of Illinois

Kevin R. Greenfield, Chairman
Macon County Board

**MACON COUNTY BOARD RESOLUTION
REAPPOINTMENT TO THE WARRENSBURG
FIRE PROTECTION DISTRICT
-Cindy Hundley**

RESOLUTION NO. G-5550-05-23

WHEREAS, it is the desire of the Macon County Board Chairman to reappoint Cindy Hundley to the Warrensburg Fire Protection District for a three year term set to expire May, 2026

Cindy Hundley
217 N. Durfee
Warrensburg, IL 62573
Term Expires: May, 2026

NOW, THEREFORE, BE IT RESOLVED by the Macon County Board that they hereby reappoint Cindy Hundley to the Warrensburg Fire Protection District for a term of three years set to expire May, 2026.

BE IT FURTHER RESOLVED that this resolution shall become effective immediately upon the adoption thereof.

PRESENTED, PASSED and APPROVED this 11th day of May, 2023.

AYES _____ NAYS _____

MACON COUNTY BOARD
MACON COUNTY, ILLINOIS

ATTEST:

BY:

Josh Tanner, Clerk for the
County of Macon, State of Illinois

Kevin Greenfield, Chairman
Macon County Board

**MACON COUNTY BOARD RESOLUTION
REAPPOINTMENT TO THE
CISCO FIRE PROTECTION DISTRICT
-Gregg Briggs**

RESOLUTION NO. G-5551-05-23

WHEREAS, it is the desire of the Macon County Board Chairman to reappoint Gregg Briggs to the Cisco Fire Protection District for a term of three years set to expire May 2026.

Gregg Briggs
13006 Friends Creek Park Road
Cisco, IL 61830
Term Expires: May, 2026

NOW, THEREFORE, BE IT RESOLVED by the Macon County Board that they hereby reappoint Gregg Briggs to the Cisco Fire Protection District for a term of three years to expire May 2026.

BE IT FURTHER RESOLVED that this resolution shall become effective immediately upon the adoption thereof.

PRESENTED, PASSED and APPROVED this 11th day of May, 2023.

AYES _____ NAYS _____

MACON COUNTY BOARD
MACON COUNTY, ILLINOIS

ATTEST:

BY:

Josh Tanner, Clerk for the
County of Macon, State of Illinois

Kevin R. Greenfield, Chairman
Macon County Board

**MACON COUNTY BOARD RESOLUTION
REAPPOINTMENT TO THE BLUE MOUND
COUNTRYSIDE FIRE PROTECTION DISTRICT**

- Peter Pistorius

RESOLUTION NO. G-5552-05-23

WHEREAS, it is the desire of the Macon County Board Chairman to reappoint Peter Pistorius to the Blue Mound Countryside Fire Protection District for a term of three years set to expire May 2026.

Peter B. Pistorius
9044 Damery Road
Blue Mound, Illinois 62513
Term Expires: May, 2026

NOW, THEREFORE, BE IT RESOLVED by the Macon County Board that they hereby reappoint Peter Pistorius to the Blue Mound Countryside Fire Protection District for a term of three years set to expire May 2026.

BE IT FURTHER RESOLVED that this resolution shall become effective immediately upon the adoption thereof.

PRESENTED, PASSED and APPROVED this 11th day of April, 2023.

AYES _____ NAYS _____

MACON COUNTY BOARD
MACON COUNTY, ILLINOIS

ATTEST:

BY:

Josh Tanner, Clerk for the
County of Macon, State of Illinois

Kevin Greenfield, Chairman
Macon County Board

**MACON COUNTY BOARD RESOLUTION
REAPPOINTMENT TO THE HICKORY POINT
FIRE PROTECTION DISTRICT BOARD
-William R. Voorhees**

RESOLUTION NO. G-5553-05-23

WHEREAS, it is the desire of the Macon County Board Chairman to reappoint William Voorhees to the Hickory Point Fire Protection District to a term of three years set to expire May 2026.

William R. Voorhees
593 Jacobs Way
Forsyth, IL 62535
Term Expires: May, 2026

NOW, THEREFORE, BE IT RESOLVED by the Macon County Board that they hereby reappoint William Voorhees to the Hickory Point Fire Protection District for a three year term set to expire May 2026.

BE IT FURTHER RESOLVED that this resolution shall become effective upon the adoption thereof.

PRESENTED, PASSED, APPROVED this 11th day of May, 2023

AYES _____ NAYS _____

MACON COUNTY BOARD
MACON COUNTY, ILLINOIS

ATTEST:

BY:

Josh Tanner, Clerk for the
County of Macon, State of Illinois

Kevin Greenfield, Chairman
Macon County Board

**MACON COUNTY BOARD RESOLUTION
REAPPOINTMENT TO THE
SOUTH MACON FIRE PROTECTION DISTRICT
- Todd Collins**

RESOLUTION NO. G-5554-05-23

WHEREAS, it is the desire of the Macon County Board Chairman to reappoint Todd Collins to the South Macon Fire Protection District for a three year terms set to expire May 2026.

Todd Collins
259 E. Cook St.
Macon, IL 62544
Term Expires: May, 2026

NOW, THEREFORE, BE IT RESOLVED by the Macon County Board that they hereby reappoint Todd Collins to the South Macon Fire Protection District for a term of three years set to expire May 2026.

BE IT FURTHER RESOLVED that this resolution shall become effective immediately upon the adoption thereof.

PRESENTED, PASSED and APPROVED this 11th day of May, 2023.

AYES _____ NAYS _____

MACON COUNTY BOARD
MACON COUNTY, ILLINOIS

ATTEST:

BY:

Josh Tanner, Clerk for the
County of Macon, State of Illinois

Kevin R. Greenfield, Chairman
Macon County Board

**MACON COUNTY BOARD RESOLUTION
APPOINTMENT TO THE MACON
COUNTY EMERGENCY TELEPHONE
SYSTEM BOARD**

– Matthew Jedlicka

RESOLUTION NO. G-5555-05-23

WHEREAS, it is the desire of the Macon County Board Chairman to appoint the following individual to serve on the Macon County Emergency Telephone System Board for the remainder of a term of four years set to expire February 2024 vacated by Jeffrey Scheibly.

Matthew Jedlicka
333 S. Franklin St
Decatur, IL 62523
Term Expires: February, 2024

NOW, THEREFORE, BE IT RESOLVED by the Macon County Board that it hereby appoints Matthew Jedlicka to the Macon County Emergency Telephone System Board for the remainder term of four years set to expire at the end of February, 2024.

BE IT FURTHER RESOLVED that this Resolution shall become effective immediately upon the adoption thereof.

PRESENTED, PASSED and APPROVED this 11th day of May, 2023.

AYES _____ NAYS _____

MACON COUNTY BOARD
MACON COUNTY, ILLINOIS

ATTEST:

BY:

Josh Tanner, Clerk for the
County of Macon, State of Illinois

Kevin R. Greenfield, Chairman
Macon County Board

**MACON COUNTY BOARD RESOLUTION
REAPPOINTMENT TO THE MACON COUNTY
MENTAL HEALTH BOARD**

- Stephen Rathnow

RESOLUTION NO. G-5556-05-23

WHEREAS, it is the desire of the Macon County Board Chairman to reappoint the following individual to the Macon County Mental Health Board for the term of 4 years set to expire June 30, 2027:

Stephen Rathnow
340 Carrington Ave
Decatur, IL 62549
Term Expires: June 30, 2027

NOW, THEREFORE, BE IT RESOLVED by the Macon County Board that it hereby approves reappointing Stephen Clevenger to the Macon County Mental Health Board for a term of four years set to expire June 30, 2027.

BE IT FURTHER RESOLVED that this resolution shall become effective upon the adoption thereof.

PRESENTED, PASSED, APPROVED this 11th day of May, 2023

AYES _____ NAYS _____

MACON COUNTY BOARD
MACON COUNTY, ILLINOIS

ATTEST:

BY:

Josh Tanner, Clerk for the
County of Macon, State of Illinois

Kevin Greenfield, Chairman
Macon County Board

**MACON COUNTY BOARD RESOLUTION
APPROVING BLUE CROSS BLUE SHIELD
HEALTH INSURANCE PROPOSAL
FROM ARTHUR J GALLAGHER & CO.**

RESOLUTION NO. G-5540-05-23

WHEREAS, the Macon County Insurance Committee has continued to study the best alternatives for the county's health insurance, and met on March 29, 2023 to discuss and learn about potential changes and updates, and

WHEREAS, the Insurance Committee has concluded that the Health Reimbursement Arrangement (HRA) which started July 1, 2021 has been beneficial in holding down overall medical insurance costs and will continue to offer savings in the next year, and

WHEREAS, the overall medical plan benefits to employees will not change from the prior year, as the County will continue to fund the HRA to cover deductibles above the current level, and

WHEREAS, the Macon County Operations and Personnel Committee reviewed the recommendation at their April 24, 2023 meeting and voted to accept the Blue Cross/Blue Shield proposal and continuance of the HRA presented by AJ Gallagher & Co. for a decrease in BCBS medical premiums of 4%, with coverages as detailed in the attached schedule, and

NOW, THEREFORE, BE IT RESOLVED by the Macon County Board that they hereby approve the Gallagher Benefit Services proposal for health coverage as per the Attached document for the 07/01/2023 renewal

BE IT FURTHER RESOLVED by the Macon County Board that this resolution shall become effective upon the adoption thereof.

PRESENTED, PASSED, APPROVED this 11th day of May, 2023

AYES _____ NAYS _____

MACON COUNTY BOARD
MACON COUNTY, ILLINOIS

ATTEST:

BY:

Joshua A. Tanner, Clerk for the
County of Macon, State of Illinois

Kevin R. Greenfield, Chairman
Macon County Board

Macon County 2023 Medical Plan Renewal

Medical Insurance Plan			HRA PLAN	HRA PLAN	HRA PLAN	HRA PLAN	HRA PLAN
			7/1/2021	7/1/2022	INITIAL 7/1/2023	FINAL 7/1/2023	ADD Dental 7/1/2023
Individual Deductible			\$5,000	\$5,000	\$5,000	\$5,000	\$5,000
Family Deductible			\$10,000	\$10,000	\$10,000	\$10,000	\$10,000
Individual Out of Pocket			\$7,500	\$7,500	\$7,500	\$7,500	\$7,500
Family Out of Pocket			\$15,000	\$15,000	\$15,000	\$15,000	\$15,000
Coinsurance after DED			includes Rx 80% - 20%	includes Rx 80% - 20%	includes Rx 80% - 20%	includes Rx 80% - 20%	includes Rx 80% - 20%
ER Co-pay			\$500	\$500	\$500	\$500	\$500
Doctor Office - Primary Care			\$25 Co-pay	\$25 Co-pay	\$25 Co-pay	\$25 Co-pay	\$25 Co-pay
Doctor Office - Specialist			\$45 Co-pay	\$45 Co-pay	\$45 Co-pay	\$45 Co-pay	\$45 Co-pay
Rx Retail Pharmacy			3 Tier - Co-pays	3 Tier - Co-pays	3 Tier - Co-pays	3 Tier - Co-pays	3 Tier - Co-pays
Generic			\$15	\$15	\$15	\$15	\$15
Brand			\$30	\$30	\$30	\$30	\$30
Specialty			\$50	\$50	\$50	\$50	\$50
Rx Mail Order			90 days for 2X	90 days for 2X	90 days for 2X	90 days for 2X	90 days for 2X
Preventive Services			100% per ACA	100% per ACA	100% per ACA	100% per ACA	100% per ACA
Renewal Change Percentage			-2.30%	1.80%	3.30%	-3.00%	-4.00%
Monthly Premiums	E	201	763.40	777.14	802.79	753.83	746.29
	ES	35	1,661.31	1,691.21	1,747.02	1,640.47	1,624.07
	EC	47	1,529.54	1,557.07	1,608.45	1,510.36	1,495.26
	EF	67	2,125.43	2,163.69	2,235.09	2,098.78	2,077.79
		350					
Employee Share / Pay	E		95.43	97.14	100.35	94.23	93.29
	ES		207.66	211.40	218.38	205.06	203.01
	EC		191.19	194.63	201.06	188.80	186.91
	EF		265.68	270.46	279.39	262.35	259.72
Paycheck Difference	E		(12.89)	1.72	3.21	(2.91)	(3.86)
	ES		(28.05)	3.74	6.98	(6.34)	(8.39)
	EC		(25.83)	3.44	6.42	(5.84)	(7.73)
	EF		(35.89)	4.78	8.93	(8.11)	(10.74)
County Approx Cost			\$3,832,933	\$3,901,923	\$4,030,692	\$3,784,873	\$3,747,024
County Change in Cost			\$90,126	\$68,990	\$128,769	-\$117,050	-\$154,899
Total Annualized Premium			\$5,110,577	\$5,202,564	\$5,374,256	\$5,046,498	\$4,996,033
Total Premium Difference			(\$120,168)	\$91,987	\$171,692	-\$156,067	-\$206,532

**MACON COUNTY BOARD RESOLUTION
APPROVING ONE YEAR BLUE CROSS BLUE
SHIELD OF IL DENTAL INSURANCE
PROPOSAL FROM AJ GALLAGHER & CO**

RESOLUTION NO. G-5541-05-23

WHEREAS, the Macon County Insurance Committee has continued to study the best alternatives for the County's dental insurance and has received 2 proposals for dental insurance for the new year starting 7/1/23. It has been concluded that the proposal from Blue Cross Blue Shield of IL represents the best combination of cost and coverage for the benefit of Macon County and its employees, and

WHEREAS, the Blue Cross Blue Shield of IL (BCBSIL) proposal represents an increase of 4% over the prior year's premiums for dental insurance, it also provides a \$50,000 credit, or a 1% reduction to the medical insurance rates by having both medical and dental with the same carrier, and

WHEREAS, the Insurance Committee concluded that this renewal represents the best option at this time, and

WHEREAS, the Macon County Operations and Personnel Committee has reviewed the option and voted to accept the BCBSIL proposal presented by AJ Gallagher & Co. at their April 24, 2023 meeting as detailed by the rates per pay below:

Employee only	\$16.49
Employee plus spouse	\$32.97
Employee plus children	\$35.39
Employee plus spouse and children	\$51.87

NOW, THEREFORE, BE IT RESOLVED by the Macon County Board that it hereby authorizes acceptance of the Gallagher/BCBSIL dental plan effective July 1, 2023 for one year.

BE IT FURTHER RESOLVED by the Macon County Board that this resolution shall become effective upon the adoption thereof.

PRESENTED, PASSED, APPROVED this 11th day of May, 2023

AYES _____ NAYS _____

MACON COUNTY BOARD
MACON COUNTY, ILLINOIS

ATTEST:

BY:

Joshua A. Tanner, Clerk for the
County of Macon, State of Illinois

Kevin R. Greenfield, Chairman
Macon County Board



Gallagher

Insurance | Risk Management | Consulting

Macon County Dental Plan Analysis

Delta Dental Rate History since 2012

	2023	2022	2021	2020	2019	2018	2017	2016	2015	2014	2013	2012
EO	\$31.49	\$30.57	\$29.11	\$29.11	\$29.11	\$29.11	\$29.11	\$28.54	\$28.54	\$28.54	\$28.54	\$26.93
ES	\$62.96	\$61.13	\$58.22	\$58.22	\$58.22	\$58.22	\$58.22	\$57.08	\$57.08	\$57.08	\$57.08	\$53.93
EC	\$67.60	\$65.63	\$62.50	\$62.50	\$62.50	\$62.50	\$62.50	\$61.27	\$61.27	\$61.27	\$61.27	\$53.93
EF	\$99.08	\$96.19	\$91.61	\$91.61	\$91.61	\$91.61	\$91.61	\$89.81	\$89.81	\$89.81	\$89.81	\$80.10
% Change	3%	5%	0%	0%	0%	0%	2%	0%	0%	0%	2.9%	5%

BCBSIL Dental Proposals

	BASE	Add Max Builder	BCBS Max
EO	\$31.82	\$32.97	Year 1 \$1,000
ES	\$63.64	\$65.93	Year 2 \$1,500
EC	\$68.32	\$70.78	Year 3+ \$2,000
EF	\$100.13	\$103.73	

**MACON COUNTY BOARD RESOLUTION
APPROVING EMPLOYEE VISION PLAN
PROPOSAL WITH EYEMED**

RESOLUTION NO. G-5542-05-23

WHEREAS, Macon County has provided a vision plan to benefit Macon County Employees since 2015 with no change in premiums since that time, and

WHEREAS, AJ Gallagher & Co. has brought to the insurance committee 2 proposals for vision care plans which were studied and reviewed by the Insurance Committee, and

WHEREAS, the vision plan is a voluntary plan with premiums to be paid entirely by the employees, and

WHEREAS, the Insurance Committee concluded that the proposal from EyeMed, with a 2% increase, continues to represent the best combination of cost and coverage for the benefit of Macon County employees, and

WHEREAS, the Operations & Personnel Committee met on April 24, 2023 and reviewed this information, and concurred with the evaluation of the Insurance Committee, and

NOW, THEREFORE, BE IT RESOLVED by the Macon County Board that it hereby authorizes acceptance of an employee vision plan with EyeMed with a 2% increase as per the rates listed below effective July 1, 2023.

Employee only, per pay	\$ 3.09
Employee plus spouse, per pay	\$ 5.87
Employee plus children, per pay	\$ 6.18
Employee plus spouse and children, per pay	\$9.07

BE IT FURTHER RESOLVED by the Macon County Board that this resolution shall become effective upon the adoption thereof.

PRESENTED, PASSED, APPROVED this 11th day of May, 2023

AYES _____ NAYS _____

MACON COUNTY BOARD
MACON COUNTY, ILLINOIS

ATTEST:

BY:

Josh A. Tanner, Clerk for the
County of Macon, State of Illinois

Kevin R. Greenfield, Chairman
Macon County Board

**MACON COUNTY BOARD RESOLUTION
APPROVING EMPLOYER PAID GROUP TERM LIFE
INSURANCE WITH BLUE CROSS BLUE SHIELD**

RESOLUTION NO. G-5543-05-23

WHEREAS, Macon County has traditionally provided an optional term life insurance policy through Ft. Dearborn/Blue Cross Blue Shield with 25% of the cost borne by employees, and

WHEREAS, This amount of life insurance was a \$10,000 benefit for employees with double that amount for accidental death, and

WHEREAS, it was noted that \$10,000 of insurance was very low, so pricing for a higher coverage was sought along with the desire that Macon County pay 100% as a benefit to each employee, and

WHEREAS, AJ Gallagher presented a quote from Blue Cross Blue Shield for \$20,000 of coverage per employee with double that for accidental death (\$50,000 accidental death for law enforcement) with a rate of .162 and a three year rate lock, and

WHEREAS, the Insurance Committee concluded that this proposal was positive in providing more significant coverage to every full-time employee at a small price to the County, and

WHEREAS, the Operations & Personnel Committee met on April 24, 2023 and reviewed this information, and concurred with the evaluation of the Insurance Committee, and

NOW, THEREFORE, BE IT RESOLVED by the Macon County Board that it hereby authorizes acceptance of group term life insurance with Blue Cross Blue Shield effective July 1, 2023

BE IT FURTHER RESOLVED by the Macon County Board that this resolution shall become effective upon the adoption thereof.

PRESENTED, PASSED, APPROVED this 11th day of May, 2023

AYES _____ NAYS _____

MACON COUNTY BOARD
MACON COUNTY, ILLINOIS

ATTEST:

BY:

Josh A. Tanner, Clerk for the
County of Macon, State of Illinois

Kevin R. Greenfield, Chairman
Macon County Board

**MACON COUNTY BOARD RESOLUTION
APPROVING EMPLOYEE PAID VOLUNTARY GROUP
TERM LIFE INSURANCE WITH BLUE CROSS BLUE SHIELD**

RESOLUTION NO. G-5544-05-23

WHEREAS, Providing employees with varied insurance options is important to Macon County, and

WHEREAS, Offering affordable voluntary term life insurance is seen as a way of assisting employees who may not otherwise be able to purchase this coverage, and

WHEREAS, AJ Gallagher presented a quote from Blue Cross Blue Shield for 100% employee paid portable group term life insurance in amounts up to \$150,000 for employees and \$50,000 for spouses, guaranteed issue, with no medical questions asked or up to \$500,000 with medical questions, and

WHEREAS, the Insurance Committee concluded that this proposal is an added benefit to provide additional coverage to those who may desire it, and

WHEREAS, the Operations & Personnel Committee met on April 24, 2023 and reviewed this information, and concurred with the evaluation of the Insurance Committee, and

NOW, THEREFORE, BE IT RESOLVED by the Macon County Board that it hereby authorizes acceptance of voluntary group term life insurance with Blue Cross Blue Shield effective July 1, 2023

BE IT FURTHER RESOLVED by the Macon County Board that this resolution shall become effective upon the adoption thereof.

PRESENTED, PASSED, APPROVED this 11th day of May, 2023

AYES _____ NAYS _____

MACON COUNTY BOARD
MACON COUNTY, ILLINOIS

ATTEST:

BY:

Josh A. Tanner, Clerk for the
County of Macon, State of Illinois

Kevin R. Greenfield, Chairman
Macon County Board

**MACON COUNTY BOARD RESOLUTION
AUTHORIZING THE SUBAWARD OF
MACON COUNTY ARPA/SLFRF FUNDS TO
Workforce Investment Solutions**

Resolution No. G-5545-05-23

WHEREAS, The American Rescue Plan Act of 2021 (ARPA) provides for State and Local Fiscal Recovery Funds (SLFRF); and

WHEREAS, the United States Treasury Department’s administration of the ARPA funds follows rules provided in U.S. TREASURY INTERIM FINAL RULE & GUIDANCE FOR STATE AND LOCAL FISCAL RECOVERY FUNDS (31 CFR Part 35 / RIN 1505-AC77); and

WHEREAS, the Macon County Board desires to authorize up to \$97,000 of the ARPA funds received by Macon County to be sub awarded to Workforce Investment Solutions for the purpose of serving the citizens of Macon County.

WHEREAS, the recipients of ARPA funds and are subject to the provisions of the federal Uniform Grant Guidance, 2 CFR part 200 (UG); and

WHEREAS, State and Local Fiscal Recovery Funds (SLFRF) sub-recipients are subject to requirements of the SLFRF award pursuant to 2 CFR 200.332.

NOW, THEREFORE, BE IT RESOLVED by the Macon County Board, assembled in regular meeting at Decatur, Illinois, that it authorizes the sub award of ARPA funds in an amount not to exceed \$97,000 to Workforce Investment Solutions as set forth above and for the purposes recited herein.

BE IT FURTHER RESOLVED that the County Auditor and County Treasurer are authorized to distribute the funds as set forth through the American Rescue Plan Act of 2021 (ARPA)”, which is approved by this Board and incorporated into this Resolution by reference.

BE IT FURTHER RESOLVED that the Chair of this Board is authorized to execute any Agreement with Workforce Investment Solutions contemplated by this Resolution without further action by this Board.

PRESENTED, PASSED, and APPROVED this 11th day of May, 2023

AYES _____ NAYS _____

MACON COUNTY BOARD
MACON COUNTY, ILLINOIS

ATTEST:

BY:

Josh Tanner
Macon County Clerk

Kevin R. Greenfield, Chairman
Macon County Board



American Rescue Plan Act (ARPA)

First Responder Wellness, Recruitment, Retention & Equipment

Grant Application

Agency Name	Workforce Investment Solutions		
Street Address	757 West Pershing Road	City	Decatur
Zip	62526	County	Macon
Tax ID Number		SAMS/Duns	

Authorized Signatory Official

Name		Title	
Phone		Email	
Organization			
Street Address		City	
Zip		County	

Project Manager

Name	Rocki Wilkerson	Title	Executive Director
Phone	217-875-8720	Email	
Organization			
Street Address		City	
Zip		County	

Project Narrative
Describe the project / projects to be implemented with the ARPA grant funding.

1. Describe the benefits of the proposed funding for First Responders.

The benefits of the proposed funding for the items requested by Workforce Investment Solutions (WIS) includes being able to market the WIS program as well as the One Stop Center. The current grant funding received by WIS will not allow monies to be spent on items associated with marketing of the program(s). Four of the items requested (Video Camera & Tripod, Table Top Banners, Brochures, and Signage/Advertising) are for marketing purposes. These items will help increase awareness of our programs in our community.

Other items requested will help alleviate budgeting restrictions that we have. WIS equipment is aging. Our current Server is 5+ years old, and with technology evolving and updating, our server won't be able to keep up within a year or so. The monitors and docking stations that staff currently have are starting to go out one-by-one. They are older and we would like to replace them. The color copier is over 10 years old and replacing this would with the ARPA funds would allow the grant funding received by Workforce to be spent on our customers rather than equipment.

Due to COVID and working remotely, laptops were purchased for each staff member in 2020. The expected lifetime of a laptop is between 3-5 years. 10 of the 20 laptops would be for WIS staff. The other laptops would be purchased for our program at the Decatur Public Library – mostly the pre-apprenticeship class and the C.N.A. class. The laptops currently being used by those classes are aging quickly. Some are over five years old and are not keeping up with technology updates.

2. Describe the project / projects to be implemented with the proposed ARPA funds.

The projects to be implemented with the proposed ARPA funds will included the following:

WIS attends many career fairs and informational fairs outside our place of business. Our logo was updated over 5 years ago and our tabletop items and banners and brochures need to be updated as well. Since COVID restrictions have been relaxed, we are attending more career fairs and going out into the public at various events. WIS would like to update these items.

Projects include the pre-apprenticeship program and the other Adult Education programs held at the Decatur Public Library. Certified Nursing Assistant classes are being held, as well as hospitality classes. We have partnered with DOVE to assist their clients in attending free classes in order to help them gain employment. As stated before, equipment at the library is aging and new equipment is desperately needed.

3. Describe the impact the proposed funds will have on the community you serve, include projected individuals this will impact.

By obtaining the items requested by WIS, it will help alleviate aging equipment and update other items which will allow WIS funding to go towards more participants rather than purchasing equipment. Participants will be able to receive funding to help further their careers and obtain employment/self-sufficiency.

Budget Description

Describe any costs associated with implementing the activities described in the narrative.

Budget total should not exceed amount of your subgrant agreement.

Vendor	Expense Type	Cost	Description
	Video Camera & Tripod	\$500.00	
	Flash drives 200 @ \$4.50	\$900.00	
	Table Top Banners - How many	\$2,500.00	
	Brochures / updated program information	\$2,500.00	
	Casas testing - how many??	\$2,000.00	
	Lap tops including anti virus / MS Office / Dell Latitude 5530 -30 x \$1,650	\$49,500.00	
	Dockl stations -11 @ \$270 each	\$2,970.00	
	Dell 48 Monitors @ \$220 to \$300	\$12,000.00	
	Color Copier	\$5,000.00	
	Computer/CPU - Dell 3000 SFF / 10 x \$800	\$8,000.00	
	Signage / advertizing	\$2,520.00	
	Dell PowerEdge R440 Server	\$8,500.00	
	Total	\$96,890.00	

Final Approval by Macon County Board Chairman, Kevin Greenfield

Signature _____

Date: _____

**MACON COUNTY BOARD RESOLUTION
APPROVING A BUDGET AMENDMENT FOR
WORKFORCE INVESTMENT SOLUTIONS FY'23 BUDGET –
WIOA Statewide Rapid Response**

RESOLUTION NO. G-5546-05-23

WHEREAS, the Operations, Personnel and Legislative Committee met on April 24, 2023 and were presented with a request to amend the Workforce Investment Solutions budget for FY'23; and

WHEREAS, Workforce Investment Solutions has received a grant in the amount of \$268,912.55 from the Illinois Department of Commerce & Economic Opportunity (DCEO) for WIOA Statewide Rapid Response (Grant No. 21-651019) for the period of January 1, 2023 – March 31, 2024; and

WHEREAS, this grant is included in Workforce Investment Solutions Department 075 and assigned Grant ID 988 and Project ID 98823; and

WHEREAS, an emergency exists whereby if the budget is not amended, valuable grant funds will be lost.

NOW, THEREFORE, BE IT RESOLVED by the Macon County Board that it hereby approves amending the Workforce Investment Solutions FY23 Budget as follows:

Increased Revenue:	075-988-4500-000-988-98823	\$268,912.55
Increased Expenses:	075-988-5010-000-988-98823	\$ 4,250.00 (Director Wage)
	075-988-5040-000-988-98823	\$ 4,520.40 (Fiscal Wage)
	075-988-5041-000-988-98823	\$ 4,880.15 (Perf Coord)
	075-988-5597-000-988-98823	\$ 6,050.00 (Case Mgr)
	075-988-6010-000-988-98823	\$ 1,500.00 (Health Ins)
	075-988-6011-000-988-98823	\$ 1,712.00 (FICA)
	075-988-6012-000-988-98823	\$ 1,500.00 (IMRF)
	075-988-7011-000-988-98823	\$ 19,500.00 (W-B Contractural)
	075-988-7191-000-988-98823	\$ 225,000.00 (Incumb. Wkr)

BE IT FURTHER RESOLVED by the Macon County Board that this resolution shall become effective upon the adoption thereof.

PRESENTED, PASSED, APPROVED this 11th day of May, 2023

AYES _____ NAYS _____

ATTEST:

MACON COUNTY BOARD
MACON COUNTY, ILLINOIS
BY:

Josh Tanner, Clerk for the
County of Macon, State of Illinois

Kevin Greenfield, Chairman
Macon County Board

**MACON COUNTY BOARD ORDINANCE
ADOPTING CHAPTER 156 OF THE MACON
COUNTY CODE (SOLAR ENERGY FACILITY
SITING ORDINANCE)**

Ordinance No. O-146-05-23

WHEREAS, the Illinois General Assembly and Governor recently enacted Public Act 102-1123, which amended the Counties Code; and

WHEREAS, the public act requires a County Board, if it enacts an ordinance governing the siting of commercial solar energy facilities, to do so in a manner that is no more restrictive than what is permitted by State law; and

WHEREAS, the County of Macon previously enacted Ordinance O-131-09-18, creating Section 155.185 of the Macon County Code, dealing with the zoning of solar farms; and

WHEREAS, the County Board desires to conform to the requirements found in the new State law; and

WHEREAS, the County anticipates that commercial solar energy businesses will seek siting approval from the County in the future; and

WHEREAS, rather than amending Section 155.185, it is more efficient to enact a new regulatory scheme that is compliant with the new State law.

NOW, THEREFORE, BE IT ORDAINED by the Macon County Board, assembled in regular meeting at Decatur that Chapter 156 (the Solar Energy Facility Siting Ordinance”) is added to Title XV the Macon County Code, as set forth in the attached Exhibit A.

BE IT FURTHER ORDAINED that the County Administrator is directed to send a copy of this enacting ordinance and Exhibit A to the County’s contracted codifier, American Legal, and American Legal is authorized to edit the language set forth in Exhibit A to be consistent with the codification scheme currently used in the Macon County Code, provided that such edits do not substantively modify the language in Exhibit A.

BE IT FURTHER ORDAINED that any solar energy facility applicant may rely on the text contained in Exhibit A for any application submitted prior to January 1, 2024, and that any application submitted subsequent to December 31, 2023 shall be in conformity with the codified text found in Chapter 156.

BE IT FURTHER ORDAINED that Ordinance O-131-09-18, codified at Section 155.185 of the Macon County Code, is repealed.

BE IT FURTHER ORDAINED that the County Administrator is directed to send a copy of this enacting ordinance to American Legal so that American Legal can codify the repeal of Section 155.185.

BE IT FURTHER ORDAINED that this Ordinance shall be effective immediately upon its adoption.

PRESENTED, PASSED, and APPROVED this 11th day of May, 2023.

AYES _____ NAYS _____

MACON COUNTY BOARD

MACON COUNTY, ILLINOIS

ATTEST:

BY:

Josh Tanner
Macon County Clerk

Kevin R. Greenfield
Chair

TITLE XV: LAND USAGE

CHAPTER 156: COMMERCIAL SOLAR ENERGY FACILITY SITING ORDINANCE

DEFINITIONS

- A. "Applicant" means the entity who submits to the County an application for the siting and operation of any Commercial Solar Energy Facility or Substation. All references to Applicant in this Ordinance shall include Applicant's successors-in-interest and assigns, which includes a Commercial Solar Energy Facility Permittee (as defined herein),
- B. "Commercial Operation Date" means the calendar date on which the Commercial Solar Energy Facility produces power for commercial sale, not including test power.
- C. "Commercial Solar Energy Facility" or "Commercial Solar Energy System" means any device or assembly of devices that is ground installed and uses solar energy from the sun for generating electricity for the primary purpose of wholesale or retail sale and not primarily for consumption on the property.
- D. "Commercial Solar Energy Building Permit" means a permit necessary for the commencement of work performed toward the construction, erection or installation of an approved Commercial Solar Energy Facility, Substation, Supporting Facilities, or operations and maintenance building in connection with a Commercial Solar Energy Facility. A Commercial Solar Energy Building Permit may be issued by the county after a Commercial Solar Energy Facility has obtained a Special Use Permit from the County Board and the Director of Planning & Zoning determines that all conditions, if any, have been satisfied that are imposed by the Special Use Permit. The Commercial Solar Energy Building Permit shall require the Applicant to deliver a written "Notice to Proceed" for the Commercial Solar Energy Facility to the county prior to commencement of construction of the Commercial Solar Energy Facility. The term "commencement of construction", as used in this Ordinance, includes any site development work (e.g., demolition, grubbing, grading, excavation, road work, construction of Project-related structures and infrastructure improvements, etc.) regarding the Commercial Solar Energy Facility.
- E. "Commercial Solar Energy Facility Permittee" means an Applicant who applies for and receives a Special Use Permit under this Ordinance for the siting and operation of any Commercial Solar Energy Facility or Substation. All references to a Commercial Solar Energy Facility Permittee in this Ordinance shall include a Commercial Solar Energy Facility Permittee's successors-in-interest and assigns.

- F. "Financial Assurance" or "Financial Security" or "Decommission Security" means assurance from a credit worthy party, examples of which include a surety bond (e.g., performance and payment bond), trust instrument, cash escrow, or irrevocable letter of credit.
- G. "Notice to Proceed" means a written document, named as such, stating that the Applicant expresses an intent to commence construction activities on a Commercial Solar Energy Facility and identifying the date on which the construction activities are scheduled to commence.
- H. "Nonparticipating property" means real property that is not a participating property. "Nonparticipating residence" means a residence that is located on nonparticipating property and that is existing and occupied on the date that an application for a permit to develop the Commercial Solar Energy Facility is filed with the county.
- I. "Occupied community building" means any one or more of the following buildings that is existing and occupied on the date that the application for a permit to develop the Commercial Solar Energy Facility is filed with the county: a school, place of worship, day care facility, public library, or community center.
- J. "Operator" means the person or entity responsible for the day-to-day operation and maintenance of a Commercial Solar Energy Facility, including any third-party subcontractors. The Operator must be a qualified solar power professional. All references to Operator in the Ordinance shall include Operator's successors-in-interest and assigns.
- K. "Owner" means the person or entity or entities with an equity interest in a Commercial Solar Energy Facility, including their respective successors-in-interest and assigns. The Owner does not mean (i) the property owner from whom land is leased for locating a Commercial Solar Energy Facility (unless the property owner has an equity interest in a Commercial Solar Energy Facility); or (ii) any person holding a security interest in a Commercial Solar Energy Facility solely to secure an extension of credit, or a person foreclosing on such security interest, provided that after foreclosure, such person seeks to sell a Commercial Solar Energy Facility at the earliest practicable date. This definition includes the definition of Facility Owner as defined in 55 ILCS 5/5-12020.
- L. "Participating property" means real property that is the subject of a written agreement between a facility owner and the owner of the real property that provides the facility owner an easement, option, lease, or license to use the real property for the purpose of constructing a Commercial Solar Energy Facility or supporting facilities. "Participating property" also includes real property that is owned by a

facility owner for the purpose of constructing a Commercial Solar Energy Facility or supporting facilities.

- M. "Participating residence" means a residence that is located on participating property and that is existing and occupied on the date that an application for a permit to develop the Commercial Solar Energy Facility is filed with the county.
- N. "Professional Engineer" means a qualified individual who is licensed as a professional engineer in any state in the United States. Where a structural engineer is required to take some action under terms of this Ordinance, a Professional Engineer may serve as the structural engineer if he or she has the appropriate structural engineering certification.
- O. "Protected lands" means real property that is subject to a permanent conservation right consistent with the Real Property Conservation Rights Act or registered or designated as a nature preserve, buffer, or land and water reserve under the Illinois Natural Areas Preservation Act.
- P. "Public Conservation Lands" means land owned in fee title by County, state or federal agencies and managed specifically for conservation purposes, including but not limited to County, state and federal parks, state and federal wildlife management areas, state scientific and natural areas, and federal wildliferefuges and waterfowl protection areas. Public conservation lands do not include private lands upon which conservation easements have been sold to government agencies or non-profit conservation organizations. Public conservation lands also do not include private lands for which the owners have entered into contractual relationships with government or non-profit conservation organizations for conservation purposes.
- P. "Special Use Permit" means a permit approved by the County Board, after a public hearing, allowing a particular use at a specified location subject to compliance with certain specified special conditions as may be required by the County Board.
- Q. "Substation" means the apparatus that collects and connects the electrical collection system of the Commercial Solar Energy Facility and increases the voltage for connection with the utility's transmission lines.
- R. "Supporting Facilities" means the transmission lines, substations, access roads, storage containers, and equipment associated with the generation and storage of electricity by the Commercial Solar Energy Facility.

APPLICABILITY

- A. This Ordinance governs the siting of Commercial Solar Energy Facilities and Substations that generate electricity to be sold to wholesale or retail markets.

PROHIBITION

- A. No Commercial Solar Energy Facility or Substation governed by this Ordinance shall be constructed, erected, installed, or located within the county, unless prior siting approval has been obtained for each individual Commercial Solar Energy Facility or for a group of Commercial Solar Energy Facilities under a joint siting application pursuant to this Ordinance.

SPECIAL USE PERMIT APPLICATION

- B. To obtain siting approval, the Applicant must first submit a Special Use Permit application to the County.
- C. The Special Use Permit application shall contain or be accompanied by the following information:
 - 1. A Commercial Solar Energy Facility Summary, including, to the extent available: (a) a general description of the project, including (i) its approximate overall name plate generating capacity, (ii) the potential equipment manufacturer(s), (iii) type(s) of solar panels, cells and modules, (iv) the number of solar panels, cells and modules, (v) the maximum height of the solar panels at full tilt, (vi) the number of Substations, (vii) a project site plan, project phasing plan and project construction timeline plan, and (viii) the general location of the project; and (b) a description of the Applicant, Owner and Operator, including their respective business structures;
 - 2. The name(s), address(es), and phone number(s) of the Applicant(s), Owner and Operator, and all property owner(s), if known, and documentation demonstrating land ownership or legal control of the property;
 - 3. A site plan for the Commercial Solar Energy Facility showing the planned location of solar panels, including legal descriptions for each site, Participating and Non-participating Residences, Occupied Community Buildings, parcel boundary lines (including identification of adjoining properties), setback lines, public access roads and turnout locations, Substation(s), operations and maintenance buildings, electrical cabling to the Substation(s), ancillary equipment, third party

transmission lines, the location of any wetlands, flood plain, drainage structures including surface ditches and subsurface drainage lines, underground mines, scenic and natural areas within one thousand five hundred (1,500) feet of the proposed Commercial Solar Energy Facility, and the layout of all structures within the geographical boundaries of any applicable setback;

4. A proposed Decommissioning Plan for the Commercial Solar Energy Facility;
5. All required studies, reports, certifications, and approvals demonstrating compliance with the provisions of this Ordinance;
6. An Agricultural Impact Mitigation Agreement (AIMA) executed between the Applicant and the Illinois Department of Agriculture;
7. The topographic map shall include the Commercial Solar Energy Facility site and the surrounding area;
8. Any other information normally required by the County as part of its permitting requirements for siting buildings or other structures;
9. Waivers from the setback requirements executed by the occupied community building owners and/or the non-participating property owners bearing a file stamp from the County Recorder of Deeds Office confirming that the waiver was recorded against title to the affected real property.
10. Results and recommendations from the Illinois Dept. of Natural Resources obtained through the Ecological Compliance Assessment Tool or a comparable successor tool.
11. Results of any United States Fish and Wildlife Service's Information for Planning and Consulting environmental review or a comparable successor tool that is consistent with any applicable United States Fish and Wildlife Service's solar wildlife guidelines.
12. Information demonstrating that the Commercial Solar Energy Facility will avoid protected lands.
13. Any other information requested by the County or the County consultants that is necessary to evaluate the siting application and operation of the Commercial Solar Energy Facility and to demonstrate that the Commercial Solar Energy Facility meets each of the regulations

in this Ordinance, including the Special Use Permit standards set forth below.

- D. Material changes to the application are not permitted once the notice of the public hearing has been published, unless requested or permitted by the County; and
- E. The Applicant shall submit twelve (12) copies of the Special Use Permit application to the County, and at least one (1) copy in electronic format.

DESIGN AND INSTALLATION

A Design Safety Certification

- 1. Commercial Solar Energy Facilities shall conform to applicable industry standards, including those of the American National Standards Institute ("ANSI"). Applicants shall submit certificates of design compliance that equipment manufacturers have obtained from Underwriters Laboratories ("UL"), or an equivalent third party. All solar panels, cells and modules; solar panel mounts and racking, including any helical piles, ground screws, ballasts, or other anchoring systems shall be new equipment commercially available; no used or experimental equipment shall be used without the approval of a variance by the County Board.
- 2. Following the granting of siting approval under this Ordinance, a structural engineer shall certify, as part of the Commercial Solar Energy Facility Building Permit application process, that the design of the Commercial Solar Energy Facility is within accepted professional standards, given local soil, subsurface and climate conditions.

B. Electrical Components

All electrical components of the Commercial Solar Energy Facility shall conform to applicable local, state, and national codes, and relevant national and international standards (e.g. ANSI and International Electrical Commission).

C. Height

- 1. No component of a solar panel, cell or modules may exceed twenty (20) feet in height above the ground at full tilt.

D. Aesthetics and Lighting

1. **Vegetative Screening:** A vegetative screen shall be provided for any part of the Commercial Solar Energy Facility that is visible to Non-participating Residence. The landscaping screen shall be located between the required fencing and the property line of the participating parcel upon which the facility sits. . The vegetative screening shall include a continuous line of native evergreen foliage and/or native shrubs and/or native trees and/or any existing wooded area and/or plantings of tall native grasses and other native flowering plants.
2. **Lighting:** If lighting is provided at the Commercial Solar Energy Facility, lighting shall be shielded and downcast such that the light does not spill onto the adjacent parcel.
3. **Intra-project Power and Communication Lines:** All power lines used to collect power and all communication lines shall be buried underground at a depth in accordance with the Agricultural Impact Mitigation Agreement until same reach the property line or a substation adjacent to the property line.

E. Fencing

1. A fence of at least six (6) feet and not more than twenty-five (25) feet in height shall enclose and secure the Commercial Solar Energy Facility.

F. Warnings

1. A reasonably visible warning sign concerning voltage must be placed at the base of all pad-mounted transformers and Substations.
2. Visible, reflective, colored objects, such as flags, plastic sleeves, reflectors, or tape shall be placed on the anchor points of guy wires and along the guy wires up to a height of fifteen (15) feet from the ground.

G. Setback Requirements

1. The Commercial Solar Energy Facility shall be sited as follows, with setback distances measured from the nearest edge of any component of the facility:
 - a. **Occupied Community Buildings and Dwellings on Nonparticipating Properties:** one hundred fifty (150) feet to the

- nearest point on the outside wall of the structure.
- b. Nonparticipating Residences: one hundred fifty (150) feet to the nearest point on the outside wall of the structure.
- c. Boundary Lines of Participating Property: None.
- d. Boundary Lines of Nonparticipating Property: fifty (50) feet to the nearest point on the property line of the nonparticipating property.
- e. Public Road Rights-of-Way: fifty (50) feet the nearest edge of the public road right-of-way.

- 2. The setback requirements for Nonparticipating properties may be waived by the written consent of the owner(s) of each affected Nonparticipating property.

The Applicant does not need to obtain a variance from the County upon waiver by the property owner of any of the above setback requirements. Any waiver of any of the above setback requirements shall run with the land and be recorded with the Recorder of Deeds of the County.

H. Compliance with Additional Regulations

Nothing in this Ordinance is intended to preempt other applicable state and federal laws and regulations.

I. Use of Public Roads

- 1. An Applicant proposing to use any County, municipality, township or village road(s), for the purpose of transporting Commercial Solar Energy Facility or Substation parts and/or equipment for construction, operation, or maintenance of the Commercial Solar Energy Facility or Substation(s), shall:
 - a. Identify all such public roads; and
 - b. Obtain applicable weight and size permits from relevant government agencies prior to construction.
- 2. To the extent an Applicant must obtain a weight or size permit from the

County, municipality, township or village, the Applicant shall:

- a. Conduct a pre-construction baseline survey to determine existing road conditions for assessing potential future damage; and
- b. Any proposed public roads that will be used for construction purposes shall be identified and approved in writing by the respective Road District Commissioner and the County Engineer prior to the granting of the Special Use Permit. Traffic for construction purposes shall be limited to these roads. All overweight and/or oversized loads to be transported on public roads may require a permit from the respective highway authority. Any road damage caused by the transport of the facility's equipment, the installation, maintenance, or removal, must be completely repaired to the reasonable satisfaction of the Road District Commissioner and the County Engineer. The Road District Commissioner and County Engineer may choose to require either remediation of road repair upon completion of the Community Solar Energy Facility or are authorized to collect fees for overweight and/or oversized load permits. Further, financial assurance in an amount to be fixed by the Road District Commissioner to ensure the Road District or the County that future repairs are completed to their reasonable satisfaction shall be provided. Applicant shall submit a draft form of said financial assurance with application for Special Use Permit.
- c. Enter into a road use agreement with the County and each affected Road District that includes the following provisions, at a minimum:
 - i. Project layout map;
 - ii. Transportation impact analysis;
 - iii. Pre-construction plans'
 - iv. Project traffic map;
 - v. Project scope of repairs;
 - vi. Post-construction repairs;
 - vii. Insurance;
 - viii. Financial Security in forms and amounts acceptable to the County;

The road use agreement shall require Applicant to be responsible for the reasonable cost of improving roads used to construct Commercial Solar Energy Facility and the reasonable cost of repairing roads used by the facility owner during construction of

the Community Solar Energy Facility so that those roads are in a condition that is safe for the driving public after the completion of the Commercial Solar Energy Facility construction. Roadways improved in preparation for and during the construction of the Community Solar Energy Facility shall be repaired and restored to the improved condition at the reasonable cost of the developer if the roadways have degraded or were damaged as a result of construction-related activities.

3. All repairs and improvements to public roads and roadway appurtenances shall be subject to the prior approval of the County before being made and shall also be subject to inspection and acceptance by the County after such repairs and improvements are completed. The County's road use agreement, and any further agreements contemplated therein, regarding the maintenance and repair of public roads and highways, must be approved by the County Board prior to the Board's approval of any Commercial Solar Energy Facility Building Permit applications related to the construction of the proposed Commercial Solar Energy Facility.

J. Site Assessment

To ensure that the subsurface conditions of the site will provide proper support for the Commercial Solar Energy Facility and soil restoration, the Applicant, at its expense, shall provide soil and geotechnical boring reports to the County Engineer as part of its Commercial Solar Energy Facility Building Permit. The Applicant shall follow the guidelines for Conservation Practices Impact Mitigation submitted by the County Soil and Water Conservation District (or equivalent regulatory agency). Also, the Applicant shall submit grading plans for the proposed Substations for review and comment by the County Soil and Water Conservation District prior to the issuance of any Commercial Solar Energy Facility Building Permit for the construction of said substations.

K. Noise Levels

Noise levels from Commercial Solar Energy Facilities shall be in compliance with applicable Illinois Pollution Control Board (IPCB) regulations. The Applicant shall submit manufacturer's sound power level characteristics and other relevant data regarding noise characteristics necessary for a competent noise analysis. The Applicant, through the use of a qualified professional, shall appropriately demonstrate compliance with the applicable noise requirements in its Special Use Permit application.

L. Agricultural Impact Mitigation

Pursuant to 505 ILCS 147/15(a), the Applicant, at its expense, shall enter into an Agricultural Impact Mitigation Agreement with the Illinois Department of Agriculture prior to any public hearing required before a siting decision on the Commercial Solar Energy Facility application. All impacted agricultural land, whether impacted during construction, operation, or decommissioning activities, must, at a minimum, be remediated by the Applicant pursuant to the terms of the Agricultural Impact Mitigation Agreement with the Illinois Department of Agriculture. The Applicant shall submit the executed Agricultural Impact Mitigation Agreement to the County as part of the Special Use Permit application.

O. As-Built Map and Plans

Within sixty (60) calendar days of completion of construction of the Commercial Solar Energy Facility, the Applicant or Operator shall deliver "as-built" maps, site plan and engineering plans for the Commercial Solar Energy Facility that have been signed and stamped by a Professional Engineer and a licensed surveyor.

P. Engineer's Certificate

The Commercial Solar Energy Facility engineer's certificate shall be completed by a structural engineer registered in the State of Illinois or by a Professional Engineer with a certification from a structural engineer registered in the State of Illinois and shall certify that the specific soils and subsurface conditions at the site can support the apparatus, given local soil, subsurface and climate conditions. The Commercial Solar Energy Facility engineer's certificate shall be a public record and shall be submitted as part of the Special Use Permit application.

Q. Conformance with Approved Application and Plans

The Applicant shall construct and operate the Commercial Solar Energy Facility in substantial conformance with the construction plans contained in a County- approved submitted Special Use Permit application(s), conditions placed upon the operation of the Facility, this ordinance and all applicable state, federal and local laws and regulations.

R. Additional Terms and Conditions

1. All technical submissions as defined in the Professional Engineering Practice Act of 1989 (225 ILCS 325/4(w)) and contained in the Special Use Permit Application shall be prepared and signed by an Illinois Professional Engineer (or structural engineer) for the relevant discipline.

2. The County may retain a qualified, independent code inspector or professional engineer both to make appropriate inspections of the Commercial Solar Energy Facility during and after construction and to consult with the County to confirm that the construction, substantial repair, replacement, repowering and/or decommissioning of the Commercial Solar Energy Facility is performed in compliance with applicable electrical and building codes. The cost and fees so incurred by the County in retaining said inspector or engineer shall be promptly reimbursed by the Applicant of the Commercial Solar Energy Facility.
3. The Special Use Permit granted to the Applicant shall bind and inure to the benefit of the Applicant, its successors-in-interest and assigns. If any provision in this Ordinance, or conditions placed upon the operation of the Commercial Solar Energy Facility is held invalid, such invalidity shall not affect any other provision of this Ordinance that can be given effect without the invalid provision and, to this end, the provisions in this Ordinance are severable.
4. The Applicant shall provide an executed road use agreement between the Applicant and the appropriate governing road and highway jurisdictions or the Illinois Department of Transportation, to the County showing approved entrances prior to the issuance of any Commercial Solar Energy Facility Building Permit.

OPERATION

A. Maintenance

1. Annual Report. The Applicant must submit, on an annual basis on the anniversary date of the Special Use Permit application, an operation and maintenance report to the County. The report shall contain the following information: (i) a general description of any physical repairs, replacements or modification(s) to the Commercial Solar Energy Facility and/or its infrastructure; (ii) complaints pertaining to setbacks, noise, appearance, safety, lighting and use of any public roads received by the Applicant concerning the Commercial Solar Energy Facility and the resolution of such complaints; (iii) calls for emergency services; (iv) status of liability insurance; and (v) a general summary of service calls to the Commercial Solar Energy Facility. Failure to provide the annual report shall be considered a material violation of this Ordinance and subject to Article XI (Remedies).
2. Re-Certification. Any physical modification to the Commercial Solar Energy Facility that alters the mechanical load, mechanical load path, or

major electrical components shall require re-certification under Section VI(A)(1) of this Ordinance. Like-kind replacements and modifications that are made in the ordinary course of operations, including expected repairs and warranty items, shall not require re-certification. Prior to making any physical modification (other than a like-kind replacement or other modifications made in the ordinary course of operations), the Applicant shall confer with a relevant third-party certifying entity identified in Design and Safety Certification section, paragraph 1, of this Ordinance to determine whether the physical modification requires re-certification.

B. Coordination with Emergency Responders:

1. The Applicant shall submit to the local emergency responders a copy of the Site Plan, Standard Operating Procedures (SOPs) and Standard Operating Guidelines (SOGs), and any amendments to such documents, for the Commercial Solar Energy Facility so that the local law enforcement, fire protection district and rescue units, emergency medical service providers and emergency management service providers that have jurisdiction over each tower site may evaluate and coordinate their emergency response plans with the Applicant of the Commercial Solar Energy Facility.
2. The Applicant, at its expense, shall provide annual training for, and the necessary equipment to, the Operator and local emergency response authorities and their personnel so that they can properly respond to a potential emergency at the Commercial Solar Energy Facility.
3. The Applicant and the Operator shall cooperate with all local emergency responders to develop an emergency response plan. The plan shall include, at a minimum, 24-hour contact information (names, titles, email addresses, cell phone numbers) for the Applicant and the Operator and at least three (3) designated Commercial Solar Energy Facility representatives (a primary representative with two (2) alternate representatives, each of whom are on-call "24 hours per day / 7 days per week / 365 days per year"). Any change in the designated Commercial Solar Energy Facility representative or his/her contact information shall be promptly communicated to the County. The content of the emergency response plan, including the 24-hour contact information, shall be reviewed and updated on an annually basis.
4. Nothing in this section shall alleviate the need to comply with all other applicable life safety, fire / emergency laws and regulations.

C. Water, Sewer, Materials Handling, Storage and Disposal

1. All solid wastes related to the construction, operation and maintenance of the Commercial Solar Energy Facility shall be removed from the site promptly and disposed of in accordance with all federal, state and local

laws.

2. All hazardous materials related to the construction, operation and maintenance of the Commercial Solar Energy Facility shall be handled, stored, transported and disposed of in accordance with all applicable local, state and federal laws.
3. The Commercial Solar Energy Facility shall comply with existing septic and well regulations as required by the County Health Department and the State of Illinois Department of Public Health.

D. Signage

Signage regulations are to be consistent with ANSI standards. A reasonably visible warning sign concerning voltage shall be placed at the base of all pad-mounted transformers and substations, and at all entrances to the Commercial Solar Energy Facility.

E. Drainage Systems

The Applicant, at its expense, will repair, in a prompt and timely manner, all waterways, drainage ditches, agricultural drainage systems, field tiles, or any other private and public infrastructure improvements damaged during construction, maintenance and operation phases of the Commercial Solar Energy Facility in accordance with the Agricultural Impact Mitigation Agreement.

LIABILITY INSURANCE AND INDEMNIFICATION

Commencing with the issuance of a Commercial Solar Energy Facility Building Permit, the Applicant shall maintain a current general comprehensive liability policy and automobile liability coverage covering bodily injury, death and illness, and property damage with limits of at least Five Million Dollars (\$5,000,000.00) per occurrence and in the aggregate; and, shall further maintain the above-stated lines of insurance from delivery of the Notice to Proceed by the Applicant for the Commercial Solar Energy Facility, in coverage amounts of at least Five Million Dollars (\$5,000,000.00) per occurrence and Twenty Million Dollars (\$20,000,000.00) in the aggregate during the life of the Commercial Solar Energy Facility. The Applicant shall file the original certificate of insurance upon commencement of project construction prior to the issuance of a Commercial Solar Energy Facility Building Permit, corresponding policies and endorsements to be provided within sixty (60) days of issuance, and at each subsequent renewal, at least annually thereafter.

The Applicant shall defend, indemnify and hold harmless the County and its officers, appointed and elected officials, employees, attorneys, engineers and agents (collectively and individually, the "Indemnified Parties") from and against any and all claims, demands, losses, suits, causes of action, damages, injuries, costs, expenses and liabilities whatsoever,

including reasonable attorney's fees relating to or arising out of the issuance of the Special Use Permit or the construction, operation, maintenance and removal of the Commercial Solar Energy Facility including, without limitation, liability for property damage or personal injury (including death or illness), whether said liability is premised on contract or on tort (including without limitation strict liability or negligence) or any acts or omissions of the Applicant, the Owner or the Operator under this Ordinance or the Special Use Permit, except to the extent any such claims, demands, losses, suits, causes of action, damages, injuries, costs, expenses and liabilities arise from the negligence or intentional acts of such Indemnified Parties. This general indemnification shall not be construed as limiting or qualifying the County's other indemnification rights available under the law.

DECOMMISSIONING AND SITE RECLAMATION PLAN REQUIRED

Applicant (or Owner, if different from Applicant) must submit a Decommissioning Plan with cost estimation to the County as part of the siting application and provide testimony supporting the calculation of costs provided in said plan during the public hearing on the application. Prior to receiving any building permit for the Commercial Solar energy Facility, the Applicant or Owner shall provide a Decommissioning Agreement and post the required Financial Assurances for the benefit of the County. The Decommissioning Agreement and Financial Assurances shall comply with 55 ILCS 5/5-12020. Periodically, and as required by the Agricultural Impact Mitigation Agreement, the Owner must update the Decommissioning Plan, cost estimations and provide update Financial Assurances to the benefit of the County

REMEDIES

- F. The Applicant's failure to materially comply with any of the provisions under the Special Use Permit , any conditions imposed on the project, and/ or failure to comply with any law or regulation shall be a default and shall be grounds for revocation of the Special Use Permit by the County Board.
- G. Prior to implementation of the applicable County procedures for the resolution of default(s), the County Board must first provide written notice to the Applicant and Operator, setting forth the alleged default(s) and provide an opportunity for the Applicant or the Operator to cure the default(s) within a thirty (30) calendar day period from the date of the notice. Should the Applicant commence the cure within that 30-day cure period, and diligently pursues a cure, then the Applicant shall receive an additional sixty (60) days to continue to pursue the cure before the County pursues procedures for the resolution of default. If the default relates to a life safety issue or interference with local, government public safety (police, fire, emergency medical services, emergency management services, 911 dispatch) communications, the Applicant or the Operator shall take all necessary and

available commercial measures to immediately cure the default. If the Applicant or Operator cannot cure the default(s) or resolve the alleged default(s) within the cure period, then applicable County ordinance provisions addressing the resolution of such default(s) shall govern.

FEE SCHEDULE AND PERMITTING PROCESSES

1. Application Fees

- a. Prior to processing any Application for a Commercial Solar Energy Facility, the Applicant must submit a certified check to the County for the Application Fee equal to \$_____ per megawatt (mW) of proposed nameplate capacity, up to a maximum fee of \$_____. These funds shall be placed in an FDIC insured account and will be used to cover the county's cost incurred in processing the Application.
- b. Should the actual costs to the County exceed the submitted Application Fee, the Applicant shall be responsible for those additional costs and shall remit additional funds to the County within 15 days of receipt of a request from the County. No hearings on an Application shall be conducted nor final decisions rendered on an Application if there are Application fees due to the County.
- c. Any unused amounts of the Application Fee shall be refunded to the Applicant within six months of the County Board rendering a final decision on the matter, unless any pending litigation, disputes or negotiations involving the County exist regarding the Commercial Solar Energy Facility, in which case any amounts owed to the Applicant shall be refunded within six months of the conclusion of the litigation, disputes or negotiations. An Applicant may request any unused Application Fee be applied toward the Building Permit Fees for the Facility.

2. Building Permit Fees

- a. Prior to the issuance of building permits, the Building Permit Applicant must deposit a Building Permit Fee equating to \$_____ per megawatt (mW) of nameplate capacity. If the total nameplate capacity is less than 1 mW, the building permit fee shall be reduced pro rata.

3. All Costs to be Paid by Applicant or Owner

- a. In addition to all fees noted above, the Applicant or Owner shall pay all costs incurred by the County, including but not limited to, those costs associated with all offices, boards and commissions of the County, and third-party costs incurred by the County. This includes, but is not limited to, the direct or indirect costs associated with the hearing, permitting, operations, inspections, decommissioning, litigation, disputes, and/ or negotiations.

HEARING FACILITATOR

The County may engage the services of a hearing facilitator. The hearing facilitator shall be an independent contractor who shall conduct a hearing in accordance with all applicable rules of the board and the county but has no adjudicatory responsibility other than ruling on requests for continuances, procedural matters, admissibility of evidence and the propriety of any arguments.

The hearing facilitator shall be an attorney, licensed to practice in the State of Illinois. The Applicant shall reimburse the county for the fees and costs charged by the facilitator.

HEARING FACTORS

The County Board may approve a Commercial Solar Energy Facility Special Use Permit application, if it finds the evidence complies with state and federal law and regulations, and with the standards of this zoning code including the factors listed below. The factors below are applied as a balancing test, not individual requirements to be met.

- a. The establishment, maintenance or operation of the Commercial Solar Energy Facility will not be detrimental to or endanger the public health, safety, morals, comfort or general welfare;
 - b. The Commercial Solar Energy Facility will not be injurious to the uses and enjoyment of other property in the immediate vicinity for the purposes already permitted, nor substantially diminish and impair property values of surrounding properties;
 - c. The establishment of the Commercial Solar Energy Facility will not impede the normal and orderly development and improvement of the surrounding properties;
 - d. Adequate public utilities, access roads, drainage and/or necessary facilities have been or will be provided;
 - e. Adequate measures have been or will be taken to provide ingress and egress so designed as to minimize traffic congestion in the public streets;
 - f. The proposed Commercial Solar Energy Facility is not contrary to the objectives of the current comprehensive plan of the County (if any); and
 - g. The Commercial Solar Energy Facility shall, in all other respects, conform to the applicable regulations of this Ordinance and the zoning district in which it is located (if a zoning ordinance is in effect), except as such regulations may, in each instance, be modified pursuant to the recommendations of and approved by the County Board.
1. Special Use Permit Conditions and Restrictions. The County Board may

stipulate conditions, guarantees and restrictions, upon the establishment, location, construction, maintenance, and operation of the Commercial Solar Energy Facility as are deemed necessary for the protection of the public interest and to secure compliance with the standards and requirements of this Ordinance.

2. Revocation.
 - a. In any case where a Special Use Permit has been approved for a Commercial Solar Energy Facility, the Applicant shall apply for a Commercial Solar Energy Facility Building Permit from the County and all other permits required by other government or regulatory agencies to commence construction, and commence and actively pursue construction of the Project within thirty-six (36) months from the date of the granting of the Special Use Permit. If the Applicant fails to apply for a Commercial Solar Energy Facility Building Permit from the County and all other permits required by other government or regulatory agencies prior to construction and/or fails to commence and actively pursue construction of the Project within the thirty-six (36) month period, then without further action by the County Board, the Special Use Permit authorizing the construction and operation of the Commercial Solar Energy Facility shall be automatically revoked and void. Upon written request supported by evidence that the Applicant has diligently pursued issuance of all necessary government and regulatory permits for the Project required to commence construction and that any delay in commencement of construction of the Project is due to conditions out of his/her/its control, the County Board, in its sole discretion, may extend the above thirty-six (36) month period by passage of an ordinance that amends the Special Use Permit.
 - b. The Special Use Permit shall be subject to revocation if the Applicant dissolves or ceases to do business, abandons the Commercial Solar Energy Facility or the Commercial Solar Energy Facility ceases to operate for more than twelve (12) consecutive months for any reason.
 - c. Subject to the provisions of Article XI (Remedies), a Special Use Permit may be revoked by the County Board if the Commercial Solar Energy Facility is not constructed, installed and/or operated in substantial conformance with the County-approved Project plans, the regulations of this Ordinance and the stipulated Special Use Permit conditions and restrictions.
3. Transferability; Owner or Commercial Solar Energy Facility Permittee. The Applicant shall provide written notification to the County Board at least thirty (30) days prior to any change in ownership of a Commercial Solar Energy Facility of any such change in ownership. The phrase "change in ownership of

a Commercial Solar Energy Facility" includes any kind of assignment, sale; lease, transfer or other conveyance of ownership or operating control of the Applicant, the Commercial Solar Energy Facility or any portion thereof. The Applicant or successors-in-interest or assignees of the Special Use Permit, as applicable, shall remain liable for compliance with all conditions, restrictions and obligations contained in the Special Use Permit, the provisions of this Ordinance and applicable County, state and federal laws.

4. Modification. Any modification of a Commercial Solar Energy Facility that alters or changes the essential character or operation of the Commercial Solar Energy Facility in a way not intended at the time the Special Use Permit was granted, or as subsequently amended, shall require a new Special Use Permit. The Applicant or authorized representative, shall apply for an amended Special Use Permit prior to any modification of the Commercial Solar Energy Facility.
5. Permit Effective Date: The Special Use Permit shall become effective upon approval of the ordinance by the County Board.

V. INTERPRETATION

The provisions of these regulations shall be held to the minimum requirements adopted for the promotion and preservation of public health, safety and general welfare of Macon County. These regulations are not intended to repeal, abrogate, annul or in any manner interfere with existing regulations or laws of Macon County nor conflict with any statutes of the State of Illinois.

VI. SEVERABILITY

If any section, paragraph, clause, phrase or part of this Ordinance is for any reason held invalid by any court or competent jurisdiction, such decision shall not affect the validity of the remaining provisions of these regulations.

VII. EFFECTIVE DATE

This Ordinance shall be in full force and effect from and after its passage, publication and approval as required by law.

**MACON COUNTY BOARD ORDINANCE
AMENDING CHAPTER 153 OF THE MACON
COUNTY CODE (WIND ENERGY CONVERSION
SYSTEMS SITING ORDINANCE)**

Ordinance No. O-147-05-23

WHEREAS, the Illinois General Assembly and Governor recently enacted Public Act 102-1123, which amended the Counties Code; and

WHEREAS, the public act requires a County Board, if it has enacted an ordinance governing the siting of commercial wind energy conversion systems, to do so in a manner that is no more restrictive than what is permitted by State law; and

WHEREAS, the County of Macon has previously enacted a siting ordinance that is applicable to wind energy conversion systems, and said ordinance is numbered O-107-4-14 and is codified at Title XV, Chapter 153 of the Macon County Code; and

WHEREAS, the County anticipates that wind energy conversion systems businesses will seek siting approval from the County in the future; and

WHEREAS, the County Board desires to amend its ordinance so as to conform to the requirements found in the new State law.

NOW, THEREFORE, BE IT ORDAINED by the Macon County Board, assembled in regular meeting at Decatur, that Chapter 153 (the “Wind Energy Conversion Systems Ordinance”) of Title XV the Macon County Code, is amended by striking all existing language from the Chapter and by replacing it with the language as set forth in the attached Exhibit A.

BE IT FURTHER ORDAINED that the County Administrator is directed to send a copy of this enacting ordinance and Exhibit A to the County’s contracted codifier, American Legal, and American Legal is authorized to edit the language set forth in Exhibit A to be consistent with the codification scheme currently used in the Macon County Code, provided that such edits do not substantively modify the language in Exhibit A.

BE IT FURTHER ORDAINED that any wind energy conversion system applicant who submits an application after the effective date of this Ordinance may rely on the text contained in Exhibit A for any application submitted prior to January 1, 2024, and that any application submitted subsequent to December 31, 2023 shall be in conformity with the codified text found in Chapter 153 as it exists after that date.

BE IT FURTHER ORDAINED that this Ordinance shall be effective immediately upon its adoption.

PRESENTED, PASSED, and APPROVED this 11th day of May, 2023.

AYES _____ NAYS _____

ATTEST:

Josh Tanner
Macon County Clerk

MACON COUNTY BOARD
MACON COUNTY, ILLINOIS
BY:

Kevin R. Greenfield
Chairman, Macon County Board

TITLE XV: LAND USAGE

CHAPTER 153: WIND ENERGY CONVERSION SYSTEMS SITING ORDINANCE

DEFINITIONS

- A. "Applicant" means the entity who submits to the County an application for the siting and operation of any WECS or Substation. All references to Applicant in this Ordinance shall include Applicant's successors-in-interest and assigns, which includes a WECS Permittee (as defined below).
- B. "Commercial Operation Date" means the calendar date on which the WECS Project produces power for commercial sale, not including test power.
- C. "Commercial Wind Energy Facility" means a wind energy conversion facility of equal or greater than 500 kilowatts in total nameplate generating capacity. Also referred to herein as "Wind Energy Conversion System" or "WECS" or "WECS Project".
- D. "Financial Assurance" or "Financial Security" or "Decommission Security" means assurance from a credit worthy party, examples of which include a surety bond (e.g., performance and payment bond), trust instrument, cash escrow, or irrevocable letter of credit.
- E. "Meteorological Tower" means those towers which are erected primarily to measure wind speed and direction plus other data relevant to siting and operation of a WECS Project. For purposes of this ordinance, Meteorological Towers do not include towers and equipment used by airports, the Illinois Department of Transportation, or other similar applications or government agencies, to monitor weather conditions.
- F. "Notice to Proceed" means a written document, named as such, stating that the Applicant expresses an intent to commence construction activities on a WECS Project and identifying the date on which the construction activities are scheduled to commence.
- G. "Nonparticipating property" means real property that is not a participating property.
- H. "Nonparticipating residence" means a residence that is located on nonparticipating property and that is existing and occupied on the date that an application for a permit to develop the WECS Project is filed with the county.
- I. "Occupied community building" means any one or more of the following buildings

that is existing and occupied on the date that the application for a permit to develop the WECS Project is filed with the county: a school, place of worship, day care facility, public library, or community center.

- J. "Operator" means the person or entity responsible for the day-to-day operation and maintenance of a wind energy conversion system, including any third-party subcontractors. The Operator must be a qualified wind power professional. All references to Operator in the Ordinance shall include Operator's successors-in-interest and assigns.
- K. "Owner" means the person or entity or entities with an equity interest in a wind energy conversion system, including their respective successors-in-interest and assigns. The Owner does not mean (i) the property owner from whom land is leased for locating a wind energy conversion system (unless the property owner has an equity interest in a wind energy conversion system); or (ii) any person holding a security interest in a wind energy conversion system solely to secure an extension of credit, or a person foreclosing on such security interest, provided that after foreclosure, such person seeks to sell a wind energy conversion system at the earliest practicable date. This definition includes the definition of Facility Owner as defined in 55 ILCS 5/5-12020.
- L. "Participating property" means real property that is the subject of a written agreement between a facility owner and the owner of the real property that provides the facility owner an easement, option, lease, or license to use the real property for the purpose of constructing a WECS Project or supporting facilities. "Participating property" also includes real property that is owned by a facility owner for the purpose of constructing WECS Project or supporting facilities.
- M. "Participating residence" means a residence that is located on participating property and that is existing and occupied on the date that an application for a permit to develop the WECS Project is filed with the county.
- N. "Professional Engineer" means a qualified individual who is licensed as a professional engineer in any state in the United States. Where a structural engineer is required to take some action under terms of this Ordinance, a Professional Engineer may serve as the structural engineer if he or she has the appropriate structural engineering certification.
- O. "Protected lands" means real property that is subject to a permanent conservation right consistent with the Real Property Conservation Rights Act, or registered or designated as a nature preserve, buffer, or land and water reserve under the Illinois Natural Areas Preservation Act.

- P. "Public Conservation Lands" means land owned in fee title by County, state or federal agencies and managed specifically for conservation purposes, including but not limited to County, state and federal parks, state and federal wildlife management areas, state scientific and natural areas, and federal wildliferefuges and waterfowl protection areas. Public conservation lands do not include private lands upon which conservation easements have been sold to government agencies or non-profit conservation organizations. Public conservation lands also do not include private lands for which the owners have entered into contractual relationships with government or non-profit conservation organizations for conservation purposes.
- P. "Special Use Permit" means a permit approved by the County Board, after a public hearing, allowing a particular use at a specified location subject to compliance with certain specified special conditions as may be required by the County Board.
- Q. "Substation" means the apparatus that collects and connects the electrical collection system of the WECS(s) and increases the voltage for connection with the utility's transmission lines.
- R. "Supporting Facilities" means the transmission lines, substations, access roads, meteorological towers, storage containers, and equipment associated with the generation and storage of electricity by the WECS.
- S. "WECS Permittee" means an Applicant who applies for and receives a Special Use Permit under this Ordinance for the siting and operation of any WECS or Substation. All references to a WECS Permittee in this Ordinance shall include a WECS Permittee's successors-in-interest and assigns.
- T. "WECS Tower" or "Wind Tower" means and includes wind turbine tower, nacelle, and blades.
- U. "WECS Tower Height" means the distance from the rotor blade at its highest point to the top surface of the WECS foundation.
- V. "WECS Building Permit" means a permit necessary for the commencement of work performed toward the construction, erection or installation of an approved WECS, Substation or operations and maintenance building in connection with a WECS Project. A WECS Building Permit may be issued by the county after a WECS Project has obtained a Special Use Permit from the County Board and the Director of Planning & Zoning determines that all conditions, if any, have been satisfied that are imposed by the Special Use Permit. The WECS Building Permit shall require the Applicant (WECS Permittee) to deliver a written

"Notice to Proceed" for the WECS Project to the county prior to commencement of construction of the WECS Project. The term "commencement of construction", as used in this Ordinance, includes any site development work (e.g., demolition, grubbing, grading, excavation, road work, construction of Project-related structures and infrastructure improvements, etc.) regarding the WECS Project.

- W. "Wind Turbine" means any piece of electrical generating equipment that converts the kinetic energy of moving wind into electrical energy through the use of airfoils or similar devices to capture the wind.

APPLICABILITY

- A. This Ordinance governs the siting of WECS and Substations that generate electricity to be sold to wholesale or retail markets.
- B. Owners of WECS with an aggregate generating capacity of 0.5MW or less who locate the WECS(s) on their own property are not subject to this Ordinance.

PROHIBITION

- A. No WECS Project, WECS or Substation governed by this Ordinance shall be constructed, erected, installed, or located within the county, unless prior siting approval has been obtained for each individual WECS Project, WECS and Substation or for a group of WECS Projects and Substations under a joint siting application pursuant to this Ordinance.

SPECIAL USE PERMIT APPLICATION

- B. To obtain siting approval, the Applicant must first submit a Special Use Permit application to the County.
- C. The Special Use Permit application shall contain or be accompanied by the following information:
 - 1. A WECS Project Summary, including, to the extent available: (a) a general description of the project, including (i) its approximate overall name plate generating capacity, (ii) the potential equipment manufacturer(s), (iii) type(s) of WECS(s), (iv) the number of WECS, and name plate generating capacity of each WECS, (v) the maximum height of the WECS Tower(s) and maximum diameter of the WECS(s) rotor(s), (vi) the number of Substations, (vii) a project site plan, project phasing plan and project construction timeline plan, and (viii) the general location of the project; and (b) a description of the Applicant,

- Owner and Operator, including their respective business structures;
2. The name(s), address(es), and phone number(s) of the Applicant(s), Owner and Operator, and all property owner(s), if known, and documentation demonstrating land ownership or legal control of the property;
 3. A site plan for the WECS Project showing the planned location of each WECS Tower, including legal descriptions for each site, guy lines and anchor bases (if any), Participating and Non-participating Residences, Occupied Community Buildings parcel boundary lines (including identification of adjoining properties), setback lines, public access roads and turnout locations, Substation(s), operations and maintenance buildings, and permanent Meteorological Towers, electrical cabling from the WECS Tower to the Substation(s), ancillary equipment, third party transmission lines, the location of any wetlands, flood plain, drainage structures including surface ditches and subsurface drainage lines, underground mines, scenic and natural areas within one thousand five hundred (1,500) feet of the proposed WECS, the location of all known communications towers within two (2) miles of the proposed WECS, and the layout of all structures within the geographical boundaries of any applicable setback;
 4. All determinations of No Hazard to Air Navigation from the Federal Aviation Administration;
 5. A proposed Decommissioning Plan for the WECS Project including cost estimations;
 6. All required studies, reports, certifications, and approvals demonstrating compliance with the provisions of this Ordinance;
 7. An Agricultural Impact Mitigation Agreement (AIMA) executed between the Applicant and the Illinois Department of Agriculture;
 8. The topographic map shall include the WECS Project site and the surrounding area;
 9. Any other information normally required by the County as part of its permitting requirements for siting buildings or other structures;
 10. Waivers from the setback requirements executed by the occupied community building owners and/or the non-participating property

owners bearing a file stamp from the County Recorder of Deeds Office confirming that the waiver was recorded against title to the affected real property.

11. Waivers from the shadow flicker mitigation requirements executed by the occupied community building owners and/or the non-participating property owners bearing a file stamp from the County Recorder of Deeds Office confirming that the waiver was recorded against title to the affected real property.
 12. Results and recommendations from the Illinois Dept. of Natural Resources obtained through the Ecological Compliance Assessment Tool or a comparable successor tool.
 13. Results of the United States Fish and Wildlife Service's Information for Planning and Consulting environmental review or a comparable successor tool that is consistent with the United States Fish and Wildlife Service's Land-Based Wind Energy Guidelines.
 14. Information demonstrating that the WECS Project will avoid protected lands.
 15. Any other information requested by the County or the County consultants that is necessary to evaluate the siting application and operation of the WECS Project and to demonstrate that the WECS Project meets each of the regulations in this Ordinance, including the Special Use Permit standards set forth below.
- D. Material changes to the application are not permitted once the notice of the public hearing has been published, unless requested or permitted by the County. ; and
- E. The Applicant shall submit twelve (12) copies of the Special Use Permit application to the County, and at least one (1) copy in electronic format.

DESIGN AND INSTALLATION

A Design Safety Certification

1. WECSs shall conform to applicable industry standards, including those of the American National Standards Institute ("ANSI"). Applicants shall submit certificates of design compliance that equipment manufacturers have obtained from Underwriters Laboratories ("UL"), Det Norske Veritas ("DNV"), Germanischer Lloyd Wind Energie ("CGL"), or an equivalent third party. All turbines shall be new equipment

commercially available; no used or experimental equipment shall be used in the WECS Project without the approval of a variance by the County Board.

2. Following the granting of siting approval under this Ordinance, a structural engineer shall certify, as part of the WECS Building Permit application process, that the foundation and tower design of the WECS is within accepted professional standards, given local soil, subsurface and climate conditions.

B. Controls and Brakes

All WECSs shall be equipped with a redundant braking system. This includes both aerodynamic overspeed controls (including variable pitch, tip, tilt, and other similar systems) and mechanical brakes. Mechanical brakes shall be operated in a fail-safe mode. Stall regulation shall not be considered a sufficient braking system for overspeed protection.

C. Electrical Components

All electrical components of the WECS shall conform to applicable local, state, and national codes, and relevant national and international standards (e.g. ANSI and International Electrical Commission).

D. Aesthetics and Lighting

The following items are recommended standards to mitigate visual impact:

1. **Coatings and Coloring:** Towers and blades shall be painted white or gray or another non-reflective, unobtrusive color.
2. **Turbine Consistency:** To the extent feasible, the WECS Project shall consist of turbines of similar design and size, including tower height. Further, all turbines shall rotate in the same direction. Turbines shall also be consistent in color and direction with nearby facilities.
3. **Lighting:** WECS Projects shall utilize minimal lighting that is compliant with the applicable FAA regulations, as amended by the FAA. To the extent that such tower lighting is available, and is approved by the FAA for a WECS Project, the Applicant shall install Aircraft Detection Lighting Systems ("ADLS") or other similar technology to reduce light pollution and visual impacts caused by the WECS Towers.

4. Intra-project Power and Communication Lines: All power lines used to collect power from individual turbines and all communication lines shall be buried underground at a depth in accordance with the Agricultural Impact Mitigation Agreement until same reach the property line or a substation adjacent to the property line.

E. Warnings

1. A reasonably visible warning sign concerning voltage must be placed at the base of all pad-mounted transformers and Substations, and at all entrances to the Wind Towers.
2. Visible, reflective, colored objects, such as flags, plastic sleeves, reflectors, or tape shall be placed on the anchor points of guy wires and along the guy wires up to a height of fifteen (15) feet from the ground.

F. Climb Prevention

1. All WECS Towers must be unclimbable by design or protected by anti-climbing devices such as:
 - a. Fences with locking portals at least six (6) feet high; or
 - b. Anti-climbing devices twelve (12) feet vertically from the base of the WECS Tower.

G. Setback Requirements

WECS Towers shall be sited as follows, with setback distances measured from the center of the base of the WECS Tower;

- a. Occupied Community Buildings: 2.1 times the maximum blade tip height of the WECS Tower to the nearest point on the outside wall of the structure.
- b. Participating Residences: 1.1 times the maximum blade tip height of the WECS Tower to the nearest point on the outside wall of the structure;
- c. Nonparticipating Residences: 2.1 times the maximum blade tip height of the WECS Tower to the nearest point on the outside wall of the structure;
- d. Boundary Lines of Participating Property: None.
- e. Boundary Lines of Nonparticipating Property: 1.1 times the maximum blade tip height of the WECS Tower to the nearest point on the property line of the nonparticipating property.

- f. Public Road Rights-of-Way: 1.1 times the maximum blade tip height of the WECS Tower to the center point of the public road right-of-way.
- g. Overhead Communication and Electric Transmission and Distribution Facilities (Not Including Overhead Utility Service Lines to Individual Houses or Outbuildings): 1.1 times the maximum blade tip height of the WECS Tower to the nearest edge of the property line, easement, or right of way containing the overhead line.
- h. Overhead Utility Service Lines to Individual Houses or Outbuildings: None.
- i. Fish and Wildlife Areas and Illinois Nature Preserve Commission Protected Lands: 2.1 times the maximum blade tip height of the WECS Tower to the nearest point on the property line of the fish and wildlife area or protected land.

The setback requirements may be waived by the written consent of the owner(s) of each affected property. The Applicant does not need obtain a variance from the County upon waiver by the property owner of the setback requirement. Any waiver of any of the above setback requirements shall run with the land and be recorded with the Recorder of Deeds of the County.

H. Compliance with Additional Regulations

Nothing in this Ordinance is intended to preempt other applicable state and federal laws and regulations.

I. Use of Public Roads

- 1. An Applicant proposing to use any County, municipality, township or village road(s), for the purpose of transporting WECS or Substation parts and/or equipment for construction, operation, or maintenance of the WECS(s) or Substation(s), shall:
 - a. Identify all such public roads; and
 - b. Obtain applicable weight and size permits from relevant government agencies prior to construction.
- 2. To the extent an Applicant must obtain a weight or size permit from the County, municipality, township or village, the Applicant shall:
 - a. Conduct a pre-construction baseline survey to determine existing

road conditions for assessing potential future damage; and

- b. Any proposed public roads that will be used for construction purposes shall be identified and approved in writing by the respective Road District Commissioner and the County Engineer prior to the granting of the Special Use Permit. Traffic for construction purposes shall be limited to these roads. All overweight and/or oversized loads to be transported on public roads may require a permit from the respective highway authority. Any road damage caused by the transport of the facility's equipment, the installation, maintenance, or removal, must be completely repaired to the reasonable satisfaction of the Road District Commissioner and the County Engineer. The Road District Commissioner and County Engineer may choose to require either remediation of road repair upon completion of the WECS Project or are authorized to collect fees for overweight and/or oversized load permits. Further, financial assurance in an amount to be fixed by the Road District Commissioner to ensure the Road District or the County that future repairs are completed to their reasonable satisfaction shall be provided. Applicant shall submit a draft form of said financial assurance with application for Special Use Permit.

- c. Enter into a road use agreement with the County and each affected Road District that includes the following provisions, at a minimum:
 - i. Project layout map;
 - ii. Transportation impact analysis;
 - iii. Pre-construction plans'
 - iv. Project traffic map;
 - v. Project scope of repairs;
 - vi. Post-construction repairs;
 - vii. Insurance;
 - viii. Financial Security in forms and amounts acceptable to the County;

The road use agreement shall require Applicant to be responsible for the reasonable cost of improving roads used to construct WECS and the reasonable cost of repairing roads used by the facility owner during construction of the WECS so that those roads are in a condition that is safe for the driving public after the completion of the WECS construction. Roadways improved in preparation for and during the construction of the WECS shall be

repaired and restored to the improved condition at the reasonable cost of the developer if the roadways have degraded or were damaged as a result of construction-related activities.

3. All repairs and improvements to County public roads and roadway appurtenances shall be subject to the prior approval of the County before being made and shall also be subject to inspection and acceptance by the County after such repairs and improvements are completed. The County's road use agreement, and any further agreements contemplated therein, regarding the maintenance and repair of County public roads and highways, must be approved by the County Board prior to the Board's approval of any WECS Building Permit applications related to the construction of the proposed WECS Project.

J. Site Assessment

To ensure that the subsurface conditions of the site will provide proper support for the WECS Towers and soil restoration, the Applicant, at its expense, shall provide soil and geotechnical boring reports to the County Engineer with respect to each WECS Tower location, as part of its WECS Building Permit. The Applicant shall follow the guidelines for Conservation Practices Impact Mitigation submitted by the County Soil and Water Conservation District (or equivalent regulatory agency). The Applicant shall submit grading plans for the proposed Substations for review and comment by the County Soil and Water Conservation District prior to the issuance of any WECS Building Permit for the construction of said substations.

K. Communications Analysis; Interference

1. The Applicant, at its expense, shall have a third party, qualified professional (after submission of resume and relevant work experience) conduct an appropriate analysis of the television reception documenting the television stations that are received within one and one-half (1 ½) miles of the footprint of the WECS Project. The results of said study shall be public record and will serve as a baseline reading for television reception conditions prior to the construction of the WECS Project and shall be submitted as part of the Special Use Permit application.
2. The Applicant, at its expense, shall have a third party, qualified professional (after submission of resume and relevant work experience), conduct a communications analysis that indicates that the E9-1-1 communications, emergency communications or official County and local municipal communications reception shall not be negatively impacted or influenced by the proposed wind power facility. Said

communication analysis shall be a public record and shall be submitted as part of the Special Use Permit application.

3. The Applicant and the Operator, at the Applicant's expense, shall take immediate actions to minimize or mitigate interference with electromagnetic communications, such as radio, telephone, microwaves or television signals and to eliminate any such interference that impacts local government public safety (police, fire, emergency medical services, emergency management services, 911 dispatch) communications, caused by the operation of the WECS. The Applicant shall provide the applicable microwave transmission providers and local emergency service provider(s) (911 operators) copies of the WECS Project Summary and Site Plan, as set forth in Section V(B)(1) and V(B)(3) of this Ordinance. To the extent that the above provider(s) demonstrate a likelihood of interference with its communications resulting from the WECS(s), the Applicant and the Operator, at Applicant's expense, shall take reasonable measures to minimize and mitigate such anticipated interference and with regard to interference with local, government public safety (police, fire, emergency medical services, emergency management services, 911 dispatch) communications, the Applicant and the Operator, at Applicant's expense, shall take all necessary and available commercial measures to eliminate any such interference. If, after construction of the WECS, the Applicant (WECS Permittee) or Operator receives a written complaint related to the above-mentioned interference, the Applicant (WECS Permittee) shall take commercially reasonable steps to respond to the complaint, except in the case of a complaint of interference with local, government public safety (police, fire, emergency medical services, emergency management services, 911 dispatch) communications. In the case of local, government public safety communications, the Applicant (WECS Permittee) and the Operator, at the Applicant's expense, shall immediately take all necessary and available commercial measures to eliminate any such interference.
4. If, after construction of the WECS, the Applicant (WECS Permittee) or Operator receives a written complaint related to interference with local broadcast residential television, the Applicant (WECS Permittee) shall take commercially reasonable steps to respond to the complaint. A summary of complaint and subsequent response from Applicant shall be forwarded to the Macon County Board for review. Once the construction is complete and a television reception complaint is received by the Director of Planning & Zoning, who will have thirty (30) calendar days to verify the complaint, the Applicant (WECS Permittee) will be

given fifteen (15) calendar days to respond, in writing (validation date). Said response shall be addressed and forwarded to both the Director of Planning & Zoning and the complainant. Such response shall include but not be limited to the following: an acknowledgment that a complaint was made and evaluated by the Applicant (WECS Permittee). If considered valid by the Applicant (WECS Permittee): an explanation, including a timeline, as to what the Applicant (WECS Permittee) intends to do about the complaint. The Applicant (WECS Permittee) of the wind power facility will be given an additional fifteen (15) calendar days from the validation date to resolve said TV reception issue. If considered invalid by the Applicant (WECS Permittee), an explanation, including supporting documentation and expert opinions, as to why the Applicant (WECS Permittee) believes the complaint is not valid. Television reception complaints must be filed within six (6) months from the date each wind turbine generator goes online.

L. Noise Levels

Noise levels from each WECS or WECS Project shall be in compliance with applicable Illinois Pollution Control Board (IPCB) regulations. The Applicant shall submit manufacturer's wind turbine sound power level characteristics and other relevant data regarding wind turbine noise characteristics necessary for a competent noise analysis. The Applicant, through the use of a qualified professional, shall appropriately demonstrate compliance with the applicable noise requirements in its Special Use Permit application.

M. Agricultural Impact Mitigation

Pursuant to 505 ILCS 147/15(a), the Applicant, at its expense, shall enter into an Agricultural Impact Mitigation Agreement with the Illinois Department of Agriculture prior to any public hearing required before a siting decision on the WECS Project application. All impacted agricultural land, whether impacted during construction, operation, or decommissioning activities, must, at a minimum, be remediated by the Applicant pursuant to the terms of the Agricultural Impact Mitigation Agreement with the Illinois Department of Agriculture. The Applicant shall submit the executed Agricultural Impact Mitigation Agreement to the County as part of the Special Use Permit application.

O. Avian and Wildlife Impact Study

The Applicant, at its expense, shall have a third party, qualified professional (after submission of resume and relevant work experience) conduct an avian and wildlife impact study and submit said study to the County as part of the Special Use Permit application. Each WECS or WECS Project shall be located, designed, constructed, and operated so as to avoid and if necessary mitigate the impacts to wildlife.

- P. **As-Built Map and Plans**
Within sixty (60) calendar days of completion of construction of the WECS Project, the Applicant or Operator shall deliver "as-built" maps, site plan and engineering plans for the WECS Project that have been signed and stamped by a Professional Engineer and a licensed surveyor.
- Q. **Engineer's Certificate**
The WECS Project engineer's certificate shall be completed by a structural engineer registered in the State of Illinois or by a Professional Engineer with a certification from a structural engineer registered in the State of Illinois and shall certify that the WECS tower and foundation design is compatible with and appropriate for each turbine design proposed to be installed and that the specific soils and subsurface conditions at the site can support the apparatus, given local soil, subsurface and climate conditions. All commercially installed wind turbines must utilize self-supporting, tubular towers. The WECS Project engineer's certificate shall be a public record and shall be submitted as part of the Special Use Permit application.
- R. **Conformance with Approved Application and Plans**
The Applicant shall construct and operate the WECS Project in substantial conformance with the construction plans contained in a County- approved submitted Special Use Permit application(s), conditions placed upon the operation of the Facility, this ordinance and all applicable state, federal and local laws and regulations.
- S. **Additional Terms and Conditions**
1. All technical submissions as defined in the Professional Engineering Practice Act of 1989 (225 ILCS 325/4(w)) and contained in the Special Use Permit Application shall be prepared and signed by an Illinois Professional Engineer (or structural engineer) for the relevant discipline.
 2. The County may retain a qualified, independent code inspector or professional engineer both to make appropriate inspections of the WECS Project during and after construction and to consult with the County to confirm that the construction, substantial repair, replacement, repowering and/or decommissioning of the WECS Project is performed in compliance with applicable electrical and building codes. The cost and fees so incurred by the County in retaining said inspector or engineer shall be promptly reimbursed by the Applicant of the WECS Project.

3. The Applicant shall provide locked metal gates or a locked chain are installed at the access road entrances of all the wind turbine generator locations. An exception may be made when the landowner has filed a written statement with the County which states that the owner does not want a locked metal gate installed and has provided a signed liability waiver to the County.
4. The Special Use Permit granted to the Applicant shall bind and inure to the benefit of the Applicant, its successors-in-interest and assigns. If any provision in this Ordinance, or conditions placed upon the operation of the Commercial Wind Energy Facility is held invalid, such invalidity shall not affect any other provision of this Ordinance that can be given effect without the invalid provision and, to this end, the provisions in this Ordinance are severable.
5. The Applicant shall provide an executed road use agreement between the Applicant and , the appropriate governing road and highway jurisdictions or the Illinois Department of Transportation, to the County showing approved entrances prior to the issuance of any WECS Building Permit or prior to construction of the WECS Project.
6. No wind turbine generator shall be installed in any location where its proximity with existing fixed broadcast, retransmission, or reception antenna for radio, television, or wireless phone or other personal communication systems would produce electromagnetic interference with signal transmission or reception. The wind turbine generator shall not be installed in a location along the major axis of existing microwave communications link where its operation is likely to produce electromagnetic interference in the link's operation.
7. The Applicant of the WECS Project shall use two (2) methods to detect icing conditions on turbine blades: (1) sensors that detect when blades become imbalanced or create vibration due to ice accumulation; and (2) meteorological data from on-site meteorological towers, on-site anemometers, and other relevant weather sources that will be used to determine if ice accumulation is occurring. These control systems will either automatically shut down the turbines(s) in icing conditions or the Applicant will manually shut down the turbine(s) if icing conditions are identified.

OPERATION

A. Maintenance

1. Annual Report. The Applicant (WECS Permittee) must submit, on an annual basis on the anniversary date of the siting approval application, an

operation and maintenance report to the County. The report shall contain the following information: (i) a general description of any physical repairs, replacements or modification(s) to the WECS and/or its infrastructure; (ii) complaints pertaining to setbacks, noise, shadow flicker, appearance, safety, lighting and use of any public roads received by the Applicant concerning the WECS and the resolution of such complaints; (iii) calls for emergency services; (iv) status of liability insurance; and (v) a general summary of service calls to the WECS. Failure to provide the annual report shall be considered a material violation of this Ordinance and subject to Article XI (Remedies).

2. Re-Certification. Any physical modification to the WECS that alters the mechanical load, mechanical load path, or major electrical components shall require re-certification under Design and Safety Certification section, paragraph 1, of this Ordinance. Like-kind replacements and modifications that are made in the ordinary course of operations, including expected repairs and warranty items, shall not require re-certification. Prior to making any physical modification (other than a like-kind replacement or other modifications made in the ordinary course of operations), the Applicant shall confer with a relevant third-party certifying entity identified in Design and Safety Certification section, paragraph 1, of this Ordinance to determine whether the physical modification requires re-certification.

B. Coordination with Emergency Responders:

1. The Applicant shall submit to the local emergency responders a copy of the Site Plan, Standard Operating Procedures (SOPs) and Standard Operating Guidelines (SOGs), and any amendments to such documents, for the wind power facility so that the local law enforcement, fire protection district and rescue units, emergency medical service providers and emergency management service providers that have jurisdiction over each tower site may evaluate and coordinate their emergency response plans with the Applicant of the WECS Project.
2. The Applicant, at its expense, shall provide annual training for, and the necessary equipment to, the Operator and local emergency response authorities and their personnel so that they can properly respond to a potential emergency at the WECS Project. Special equipment to be provided includes, but is not limited to, permanently installed rescue equipment such as winches, pulleys, harnesses, etc.
3. The Applicant and the Operator shall cooperate with all local emergency responders to develop an emergency response plan. The plan shall include, at a minimum, 24 hour contact information (names, titles, email addresses, cell phone numbers) for the Applicant and the Operator and at least three (3) designated WECS Project representatives (a primary representative with

two (2) alternate representatives, each of whom are on-call "24 hours per day / 7 days per week / 365 days per year"). Any change in the designated WECS Project representative or his/her contact information shall be promptly communicated to the County. The content of the emergency response plan, including the 24-hour contact information, shall be reviewed and updated on an annually basis.

4. Nothing in this section shall alleviate the need to comply with all other applicable life safety, fire / emergency laws and regulations.

C. Water, Sewer, Materials Handling, Storage and Disposal

1. All solid wastes related to the construction, operation and maintenance of the WECS shall be removed from the site promptly and disposed of in accordance with all federal, state and local laws.
2. All hazardous materials related to the construction, operation and maintenance of the WECS shall be handled, stored, transported and disposed of in accordance with all applicable local, state and federal laws.
3. The WECS Project shall comply with existing septic and well regulations as required by the County Health Department and the State of Illinois Department of Public Health.

D. Shadow Flicker

The Applicant must present to the County Board a model study on potential shadow flicker. The Applicant shall appropriately demonstrate to the County Board through industry standard modeling that no occupied community building or non-participating residence will experience an expected duration of 30 hours or more per year. An occupied community building owner or a non-participating participating residence owner may waive this shadow flicker mitigation requirement. Each waiver of the above shadow flicker mitigation requirement shall be set forth in a written waiver executed by the occupied community building owner or non-participating residence owner and filed with the County Recorder of Deeds Office against title to the affected real property.

E. Signage

Signage regulations are to be consistent with ANSI and AWEA standards. A reasonably visible warning sign concerning voltage shall be placed at the base of all pad-mounted transformers and substations, and at all entrances to Wind Towers..

F. Drainage Systems

The Applicant, at its expense, will repair, in a prompt and timely manner, all waterways, drainage ditches, agricultural drainage systems, field tiles, or any other

private and public infrastructure improvements damaged during construction, maintenance and operation phases of the WECS Project in accordance with the Agricultural Impact Mitigation Agreement.

G. Complaint Resolution

The Applicant shall, at its expense and in coordination with the County, develop a system for logging and investigating complaints related to the WECS Project. The Applicant shall resolve such non-emergency complaints on a case-by-case basis and shall provide written confirmation to the County. All costs and fees incurred by the County in attempting to or resolving complaints shall be reimbursed by the Applicant of the WECS Project. The Applicant shall also designate and maintain for the duration of the WECS Project either a local telephone number or a toll-free telephone number and an email address as its public information / inquiry / and complaint "hotline" which shall be answered by a customer service representative 24/7 basis. The Applicant shall post the telephone number(s) and email address(es) for the customer service representative(s) in a prominent, easy to find location on their websites and at the WECS Project site on signage.

LIABILITY INSURANCE AND INDEMNIFICATION

Commencing with the issuance of a WECS Building Permit, the Applicant shall maintain a current general comprehensive liability policy and automobile liability coverage covering bodily injury, death and illness, and property damage with limits of at least Five Million Dollars (\$5,000,000.00) per occurrence and in the aggregate; and, shall further maintain the above-stated lines of insurance from delivery of the "Notice to Proceed by the Applicant under the turbine supply and/or balance of plant construction contract(s) for the WECS Project, in coverage amounts of at least Five Million Dollars (\$5,000,000.00) per occurrence and Twenty Million Dollars (\$20,000,000.00) in the aggregate during the life of the WECS Project. The Applicant shall file the original certificate of insurance upon commencement of project construction prior to the issuance of a WECS Building Permit, corresponding policies and endorsements to be provided within sixty (60) days of issuance, and at each subsequent renewal, at least annually thereafter.

The Applicant (WECS Permittee) shall defend, indemnify and hold harmless the County and its officers, appointed and elected officials, employees, attorneys, engineers and agents (collectively and individually, the "Indemnified Parties") from and against any and all claims, demands, losses, suits, causes of action, damages, injuries, costs, expenses and liabilities whatsoever, including reasonable attorney's fees relating to or arising out of the issuance of the Special Use Permit or the construction, operation, maintenance and removal of the WECS and affiliated equipment including, without limitation, liability for property damage or personal injury (including death or illness), whether said liability is premised on contract or on tort (including without limitation strict liability or negligence) or any acts or omissions of the Applicant (WECS Permittee), the Owner or the Operator under this Ordinance or the Special Use Permit, except to the extent any such claims, demands, losses,

suits, causes of action, damages, injuries, costs, expenses and liabilities arise from the negligence or intentional acts of such Indemnified Parties. This general indemnification shall not be construed as limiting or qualifying the County's other indemnification rights available under the law.

V. DECOMMISSIONING AND SITE RECLAMATION PLAN REQUIRED

Applicant (or Owner, if different from Applicant) must submit a Decommissioning Plan with cost estimation to the County as part of the siting application and provide testimony supporting the calculation of costs provided in said plan during the public hearing on the application. Prior to receiving any building permit for the Commercial Wind Energy Facility, the Applicant or Owner shall provide a Decommissioning Agreement and post the required Financial Assurances for the benefit of the County. The Decommissioning Agreement and Financial Assurances shall comply with 55 ILCS 5/5-12020. Periodically, and as required by the Agricultural Impact Mitigation Agreement, the Owner must update the Decommissioning Plan, cost estimations and provide updated Financial Assurances to the benefit of the County.

REMEDIES

- A. The Applicant's failure to materially comply with any of the provisions under the Special Use Permit, any conditions imposed on the project, and/ or failure to comply with any law or regulation shall be a default and shall be grounds for revocation of the Special Use Permit by the County Board.
- B. Prior to implementation of the applicable County procedures for the resolution of default(s), the County Board must first provide written notice to the Applicant and Operator, setting forth the alleged default(s) and provide an opportunity for the Applicant or the Operator to cure the default(s) within a thirty (30) calendar day period from the date of the notice. Should the Applicant commence the cure within that 30-day cure period, and diligently pursues a cure, then the Applicant shall receive an additional sixty (60) days to continue to pursue the cure before the County pursues procedures for the resolution of default. If the default relates to a life safety issue or interference with local, government public safety (police, fire, emergency medical services, emergency management services, 911 dispatch) communications, the Applicant or the Operator shall take all necessary and available commercial measures to immediately cure the default. If the Applicant or Operator cannot cure the default(s) or resolve the alleged default(s) within the cure period, then applicable County ordinance provisions addressing the resolution of such default(s) shall govern.

FEE SCHEDULE AND PERMITTING PROCESSES

1. Application Fees

- a. Prior to processing any Application for a Commercial Wind Energy Facility, the Applicant must submit a certified check to the County for the Application Fee equal to \$_____ per megawatt (mW) of proposed nameplate capacity, up to a maximum fee of \$_____. These funds shall be placed in an FDIC insured account and will be used to cover the county's cost incurred in processing the Application.
- b. Should the actual costs to the County exceed the submitted Application Fee, the Applicant shall be responsible for those additional costs and shall remit additional funds to the County within 15 days of receipt of a request from the County. No hearings on an Application shall be conducted nor final decisions rendered on an Application if there are Application fees due to the County.
- c. Any unused amounts of the Application Fee shall be refunded to the Applicant within six months of the County Board rendering a final decision on the matter, unless any pending litigation, disputes or negotiations involving the County exist regarding the Commercial Solar Energy Facility, in which case any amounts owed to the Applicant shall be refunded within six months of the conclusion of the litigation, disputes or negotiations. An Applicant may request any unused Application Fee be applied toward the Building Permit Fees for the Facility.

2. Building Permit Fees

- a. Prior to the issuance of building permits, the Building Permit Applicant must deposit a Building Permit Fee equating to \$_____ per megawatt (mW) of nameplate capacity. If the total nameplate capacity is less than 1 mW, the building permit fee shall be reduced pro rata.

3. All Costs to be Paid by Applicant or Owner

- a. In addition to all fees noted above, the Applicant or Owner shall pay all costs incurred by the County, including but not limited to, those costs associated with all offices, boards and commissions of the County, and third-party costs incurred by the County. This includes, but is not limited to, the direct or indirect costs associated with the hearing, permitting, operations, inspections, decommissioning, litigation, disputes, and/ or negotiations.

HEARING FACILITATOR

The County may engage the services of a hearing facilitator. The hearing facilitator shall be an independent contractor who shall conduct a hearing in accordance with all applicable rules of the board and the county but has no adjudicatory responsibility other than ruling on requests for

continuances, procedural matters, admissibility of evidence and the propriety of any arguments.

The hearing facilitator shall be an attorney, licensed to practice in the State of Illinois. The Applicant shall reimburse the county for the fees and costs charged by the facilitator.

HEARING FACTORS

The County Board may approve a Commercial Wind Energy Facility Special Use Permit application if it finds the evidence complies with state, federal and local law and regulations, and with the standards of this zoning code including the factors listed below. The factors below are applied as a balancing test, not individual requirements to be met.

- a. The establishment, maintenance or operation of the WECS Project will not be detrimental to or endanger the public health, safety, morals, comfort or general welfare;
 - b. The WECS Project will not be injurious to the uses and enjoyment of other property in the immediate vicinity for the purposes already permitted, nor substantially diminish and impair property values of surrounding properties;
 - c. The establishment of the WECS Project will not impede the normal and orderly development and improvement of the surrounding properties;
 - d. Adequate public utilities, access roads, drainage and/or necessary facilities have been or will be provided;
 - e. Adequate measures have been or will be taken to provide ingress and egress so designed as to minimize traffic congestion in the public streets;
 - f. The proposed WECS Project is not contrary to the objectives of the current comprehensive plan of the County (if any); and
 - g. The WECS Project shall, in all other respects, conform to the applicable regulations of this Ordinance and the zoning district in which it is located (if a zoning ordinance is in effect), except as such regulations may, in each instance, be modified pursuant to the recommendations of and approved by the County Board.
1. Special Use Permit Conditions and Restrictions. The County Board may stipulate conditions, guarantees and restrictions, upon the establishment, location, construction, maintenance, and operation of the WECS Project as are deemed necessary for the protection of the public interest and to secure compliance with the standards and requirements of this Ordinance.
 2. Revocation.
 - a. In any case where a Special Use Permit has been approved for a WECS Project, the Applicant shall apply for a WECS Building

Permit from the County and all other permits required by other government or regulatory agencies to commence construction, and commence and actively pursue construction of the Project within thirty-six (36) months from the date of the granting of the Special Use Permit. If the Applicant fails to apply for a WECS Building Permit from the County and all other permits required by other government or regulatory agencies prior to construction and/or fails to commence and actively pursue construction of the Project within the thirty-six (36) month period, then without further action by the County Board, the Special Use Permit authorizing the construction and operation of the WECS Project shall be automatically revoked and void. Upon written request supported by evidence that the Applicant has diligently pursued issuance of all necessary government and regulatory permits for the Project required to commence construction and that any delay in commencement of construction of the Project is due to conditions out of his/her/its control, the County Board, in its sole discretion, may extend the above thirty-six (36) month period by passage of an ordinance that amends the Special Use Permit.

- b. The Special Use Permit shall be subject to revocation if the Applicant dissolves or ceases to do business, abandons the WECS Project or the WECS ceases to operate for more than twelve (12) consecutive months for any reason.
 - c. Subject to the provisions of Article XI (Remedies), a Special Use Permit may be revoked by the County Board if the WECS Project is not constructed, installed and/or operated in substantial conformance with the County-approved Project plans, the regulations of this Ordinance and the stipulated Special Use Permit conditions and restrictions.
3. Transferability; Owner or WECS Permittee. The Applicant shall provide written notification to the County Board at least thirty (30) days prior to any change in ownership of a WECS Project of any such change in ownership. The phrase "change in ownership of a WECS Project" includes any kind of assignment, sale; lease, transfer or other conveyance of ownership or operating control of the Applicant, the WECS Project or any portion thereof. The Applicant or successors-in-interest or assignees of the Special Use Permit, as applicable, shall remain liable for compliance with all conditions, restrictions and obligations contained in the Special Use Permit, the provisions of this Ordinance and applicable County, state and federal laws.
4. Modification. Any modification of a WECS Project that alters or changes the essential character or operation of the WECS Project in a way not intended at

the time the Special Use Permit was granted, or as subsequently amended, shall require a new Special Use Permit. The Applicant or authorized representative, shall apply for an amended Special Use Permit prior to any modification of the WECS Project.

5. **Permit Effective Date:** The Special Use Permit shall become effective upon approval of the ordinance by the County Board.

VI. INTERPRETATION

The provisions of these regulations shall be held to the minimum requirements adopted for the promotion and preservation of public health, safety and general welfare of Macon County. These regulations are not intended to repeal, abrogate, annul or in any manner interfere with existing regulations or laws of Macon County nor conflict with any statutes of the State of Illinois.

VII. SEVERABILITY

If any section, paragraph, clause, phrase or part of this Ordinance is for any reason held invalid by any court or competent jurisdiction, such decision shall not affect the validity of the remaining provisions of these regulations.

VIII. EFFECTIVE DATE

This Ordinance shall be in full force and effect from and after its passage, publication and approval as required by law.

**MACON COUNTY BOARD
RESOLUTION SETTING FEES FOR
SPECIAL USE APPLICATIONS AND
BUILDING PERMIT FEES FOR WIND
ENERGY FACILITEIS AND SOLAR
ENERGY FACILITIES**

Resolution No. G-5547-05-23

WHEREAS, the County is permitted to establish application fees for commercial wind energy facilities and commercial solar energy facilities so long as such fees are reasonable and consistent with fees for projects in the County with similar value and cost (55 ILS 5/5-12020(i)).

NOW, THEREFORE, BE IT RESOLVED by the Macon County Board, assembled in regular meeting at Decatur, that the below application fees for special use permits and building permits are established for commercial wind energy facilities and commercial solar energy facilities.

COMMERCIAL WIND ENERGY FACILIY

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 stay 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 stay 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.

BE IT FURTHER RESOLVED that this Resolution shall take effect immediately upon passage and shall apply to all applications received after its effective date.

PRESENTED, PASSED, and APPROVED this 11th day of May, 2023.

AYES _____ NAYS _____

MACON COUNTY BOARD
MACON COUNTY, ILLINOIS

ATTEST:

BY:

Josh Tanner
Macon County Clerk

Kevin R. Greenfield
Chair

**Macon County Board Resolution Approving
Increase in the Circuit Clerk General Fund
Budget for Jury Fees for Fiscal Year 2023**

RESOLUTION NO. G-5535-05-23

WHEREAS, the Circuit Court has required jurors to report; and

WHEREAS, 55 ILCS 5/4-11001, of the Counties Codes Act, the juror fees shall be paid out of the county treasury; and

WHEREAS, the Circuit Court would like to amend the payment of jurors from \$10.00 per day to \$20.00 per day and increase mileage expense from .10 per mile roundtrip to .30 per mile roundtrip.

WHEREAS, the pay to both grand and petit jurors will increase; and

WHEREAS, the aforementioned circumstances have given rise to an emergency situation in that continuing services and incurred juror payments cannot be paid without amending the budget; and

WHEREAS, this change was discussed and approved by the Justice Committee on April 27, 2023 and discussed and approved by the Finance Committee on May 1, 2023 as follows:
Increase A001-050-7270 Jury Fees \$36,000.00

NOW, THEREFORE, BE IT RESOLVED by the Macon County Board that it hereby approves the amendment of the Circuit Clerk's General Fund Budget.

BE IT FURTHER RESOLVED, by the Macon County Board that this resolution shall become effective upon adoption thereof.

PRESENTED, PASSED, and APPROVED this the 11th, day of May, 2023.

AYES _____

MAYS _____

MACON COUNTY BOARD
MACON COUNTY, ILLINOIS

ATTEST:

BY:

Josh Tanner, Clerk for the
County of Macon, State of Illinois

Kevin Greenfield, Chairman
Macon County Board

**MACON COUNTY BOARD RESOLUTION
AUTHORIZING THE SUBAWARD OF
MACON COUNTY ARPA/SLFRF FUNDS TO
EMA**

Resolution No. G-5536-05-23

WHEREAS, The American Rescue Plan Act of 2021 (ARPA) provides for State and Local Fiscal Recovery Funds (SLFRF); and

WHEREAS, the United States Treasury Department’s administration of the ARPA funds follows rules provided in U.S. TREASURY INTERIM FINAL RULE & GUIDANCE FOR STATE AND LOCAL FISCAL RECOVERY FUNDS (31 CFR Part 35 / RIN 1505-AC77); and

WHEREAS, the Macon County Board desires to authorize an increase of \$10,000 to the previously awarded amount of \$22,000 for Emergency Management Agency for the increased cost of a drone. Total awarded amount not to exceed \$32,000; and

WHEREAS, the recipients of ARPA funds and are subject to the provisions of the federal Uniform Grant Guidance, 2 CFR part 200 (UG); and

WHEREAS, State and Local Fiscal Recovery Funds (SLFRF) sub-recipients are subject to requirements of the SLFRF award pursuant to 2 CFR 200.332.

NOW, THEREFORE, BE IT RESOLVED by the Macon County Board, assembled in regular meeting at Decatur, Illinois, that it authorizes the sub award of ARPA funds in an amount not to exceed \$10,000 to EMA as set forth above and for the purposes recited herein.

BE IT FURTHER RESOLVED that the County Auditor and County Treasurer are authorized to distribute the funds as set forth through the American Rescue Plan Act of 2021 (ARPA)”, which is approved by this Board and incorporated into this Resolution by reference.

BE IT FURTHER RESOLVED that the Chair of this Board is authorized to execute any Agreement with EMA contemplated by this Resolution without further action by this Board.

PRESENTED, PASSED, and APPROVED this 11th day of May, 2023

AYES _____ NAYS _____

MACON COUNTY BOARD
MACON COUNTY, ILLINOIS

ATTEST:

BY:

Josh Tanner
Macon County Clerk

Kevin R. Greenfield, Chairman
Macon County Board

**MACON COUNTY BOARD RESOLUTION
APPROVING PERMISSION TO DISPOSE OF
DAMAGED FIREARM**

RESOLUTION NO. G-5537-05-23

WHEREAS, the Macon County Sheriff's Office requests permission to dispose of damaged firearm, currently stored at the Law Enforcement Center; and

WHEREAS, the Macon County Sheriff's Office currently has a damaged Glock model 22 serial number FYM820; and

WHEREAS, the firearm is not repairable; and

WHEREAS, this resolution was approved by the Justice Committee approved on April 27, 2023;

NOW, THEREFORE, BE IT RESOLVED by the Macon County Board that it hereby approves disposal of this damaged firearm above;

BE IT FURTHER RESOLVED that this resolution shall become effective upon the adoption thereof.

PRESENTED, PASSED and APPROVED this 11th day of May, 2023

AYES _____ **NAYS** _____

**MACON COUNTY BOARD
MACON COUNTY, ILLINOIS**

ATTEST:

BY:

**Josh Tanner, Clerk for the
County of Macon, State of Illinois**

**Kevin Greenfield, Chairman
Macon County Board**

**MACON COUNTY BOARD RESOLUTION
APPROVING PERMISSION TO DISPOSE OF
SURPLUS EQUIPMENT**

RESOLUTION NO. G-5538-05-23

WHEREAS, the Macon County Sheriff's Office requests permission to dispose of surplus equipment currently stored at the Law Enforcement Center; and

WHEREAS, the Macon County Sheriff's Office currently has 12 radios, and associated radio equipment that has reached end of life; and

WHEREAS, the Macon County Sheriff's Office has 2 AEDs that are end of life; and

WHEREAS, the Macon County Sheriff's Office has identified the following serial numbers as being in need of disposal, and

Equipment	Serial Number
Jail Radio 1	018TNAJ599
Jail Radio 2	626TFE1867
Jail Radio 3	626TFE2002
Jail Radio 4	446TQV8384
Jail Radio 5	447TQPC263
Jail Radio 6	446TQM2773
Jail Radio 7	446TQV8880
Jail Radio 8	446TQPC184
Jail Radio 9	446TQPC239
Jail Radio 10	446TQV8801
Jail Radio 11	446TQX7439
Jail Radio 12	446TQV8592
AED Out of Service 1	A14E02471
AED Out of Service 2	4011030543

WHEREAS, this resolution was recommended for approval by this Board's Justice Committee on April 27, 2023.

NOW, THEREFORE, BE IT RESOLVED by the Macon County Board that it hereby approves the disposal of surplus equipment.

BE IT FURTHER RESOLVED that the Sheriff, or his designee, is authorized to take any actions necessary and appropriate to facilitate such disposal.

PRESENTED, PASSED and APPROVED this 11th day of May 2023.

AYES _____ NAYS _____

MACON COUNTY BOARD
MACON COUNTY, ILLINOIS

ATTEST:

BY:

**Josh Tanner, Clerk for the
County of Macon, State of Illinois**

**Kevin Greenfield, Chairman
Macon County Board**

**MACON COUNTY BOARD RESOLUTION
APPROVING THE PURCHASE OF A
REPLACEMENT VEHICLE and RELATED
EQUIPMENT FOR EMA**

RESOLUTION NO. G-5539-05-23

WHEREAS, The Macon County Sheriff's Office is responsible for Emergency Management in Macon County; and

WHEREAS, an emergency has occurred due to a natural disaster, the primary vehicle for emergency management was a total loss and insurance has determined the value to be and issued a check to Macon County for \$20,342.00; and

WHEREAS, the need for an all-wheel drive vehicle is necessary for the duties required of the Emergency Management Administrator, a 2023 Dodge Durango Pursuit AWD (VIN1C4RDJFG8PC590706) has been located and is available for immediate purchase on Government Bid, purchase price \$42,747.00; and

WHEREAS, In addition to the insurance check of \$20,342.00 funds in the amount of \$22,405.00 are necessary to complete the purchase; and,

WHEREAS, emergency lighting and equipment costs in the amount of \$5,000.00 are needed to properly outfit the new vehicle; and

WHEREAS, the request was discussed and approved by the Justice Committee on April 27, 2023.

NOW, THEREFORE, BE IT RESOLVED by the Macon County Board that it hereby approves the purchase of a replacement vehicle and related equipment for EMA

Revenue	002-200-8060	\$20,342.00	(Insurance Payout to Macon County)
Expense	002-200-8060	\$47,747.00	(Vehicle and Equipment Purchase)

PRESENTED, PASSED and APPROVED this 11th day of May, 2023.

AYES _____ **NAYS** _____

**MACON COUNTY BOARD
MACON COUNTY, ILLINOIS**

ATTEST:

BY:

**Josh Tanner, Clerk for the
County of Macon, State of Illinois**

**Kevin Greenfield, Chairman
Macon County Board**

**MACON COUNTY BOARD RESOLUTION
APPROVING THE 4/13/2023 MACON COUNTY
TREASURERS OFFICE INVESTMENT POLICY**

RESOLUTION NO. G-5533-05-23

WHEREAS, the Macon County Treasurer has the fiduciary responsibility in managing government funds that comply with GFOA standards defined in: (30 ILCS 235) (30 ILCS 225) & (30 ILCS/350/)

WHEREAS, the Macon County Treasurer's Office is amending the 12/08/2022 Investment Policy to add specific language "The Macon County Treasurer will only invest in financial vehicles authorized by Section 2 of the Illinois Public Funds Investment Act under the Illinois Compiled Statutes. Furthermore, in selecting investments one of the following must apply:

- Such obligations are rated at the time of purchase at one of the 2 highest classifications established by at least 2 standard rating services.
- When investing in Illinois Funds, Illinois Trust or investment pools of the like, it must be rated in one of the two highest classifications of AAAm/f or AAm/f as reviewed by S&P Global, Fitch, or Moody's.
- The banks which investments are made with must be insured by the Federal Deposit Insurance Corporation."

WHEREAS, the Macon County Treasurer's Office is seeking Board Approval amend the 12/08/2022 Macon County Treasurer's Office Investment Policy as its fiduciary guidance policy for Macon County Monies and establish a new investment policy known as the 4/13/2023 Investment Policy.

NOW, THEREFORE, BE IT RESOLVED by the Macon County Board that the County Board finds the Macon County Treasurer's Office Public Funds Investment Policy provides structure to effectively set policy, make decisions and to safeguard its government's financial assets.

BE IT FURTHER RESOLVED that this Resolution shall become effective upon the adoption thereof.

PRESENTED, PASSED and APPROVED this 11th day of May, 2023

AYES _____ NAYS _____

MACON COUNTY BOARD
MACON COUNTY, ILLINOIS

ATTEST:

Josh Tanner, Clerk for the
County of Macon, State of Illinois

Kevin Greenfield, Chairman
Macon County Board

**MACON COUNTY BOARD RESOLUTION
AUTHORIZING FUNDING PLAN FOR
CH24 REAS BRIDGE ROAD PROJECT**

RESOLUTION NO. G-5557-05-23

WHEREAS, Illinois Department of Transportation accepted bids for Reas Bridge project on April 28th 2023 Letting; and

WHEREAS, ICC Group, Inc. was the lowest bidder at \$30,042,000; and

WHEREAS, Phase III site engineering firm Techma cost of \$1,991,779, for a total project cost of \$32,033,779; and

WHEREAS, the Reas Bridge Road Project is a much needed, ready to go, project which involves replacing an existing pair of 2-lane bridges over Lake Decatur with a pair of new 4-lane structures including all roadway approach work; and

WHEREAS, the total funding for the project as follows:

IJN Funds	\$4,218,632
99 Earmark	\$ 178,320
2016 MBF	\$4,000,000
2021 MBF (ISBP)	\$4,000,000
DUATS STU Funds	\$1,440,000
Invest Earmark – Durbin 2021	\$3,500,000
Invest Earmark – Davis 2022	\$4,500,000
BRP Funds – County Bridges	\$1,000,000
2022 MBF – IDOT	\$3,000,000 – will not be awarded until Aug 23
<u>ARPA</u>	<u>\$6,200,000</u>
Total	\$32,036,952

WHEREAS, this matter was discussed by the Finance Committee on May 1, 2023 and recommended for approval by the Macon County Board;

NOW, THEREFORE, BE IT RESOLVED by the Macon County Board that it hereby approves the plan for use of funds for road and bridge improvements; and

BE IT FURTHER RESOLVED that this resolution shall become effective upon the adoption thereof.

PRESENTED, PASSED, APPROVED this 11th day of May, 2023

AYES _____ NAYS _____

MACON COUNTY BOARD

MACON COUNTY, ILLINOIS

ATTEST:

BY:

Josh Tanner, Clerk for the
County of Macon, State of Illinois

Kevin R. Greenfield, Chairman
Macon County Board

**Macon County Board Resolution Approving
A Candidate to take the Examination for
County Engineer**

RESOLUTION NO. H-2326-5-23

WHEREAS, a vacancy exists in the position of County Engineer. A candidate for the position has been found and approval is needed for them to take the IDOT examination for County Engineer.

NOW THEREFORE BE IT RESOLVED, by the Macon County Board that it hereby approves this candidate to take the IDOT examination for County Engineer.

BE IT FURTHER RESOLVED that this Resolution shall become effective immediately upon the adoption thereof.

PRESENTED, PASSED, AND APPROVED on this 11th day of May 2023.

AYES _____ NAYS _____

MACON COUNTY BOARD
MACON COUNTY, ILLINOIS

ATTEST:

By:

Josh Tanner, Clerk for the
County of Macon, State of Illinois

Kevin R. Greenfield, Chairman
Macon County Board