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IN THE MATTER OF:  
CHRISTIAN COUNTY

ZONING BOARD OF APPEALS

APRIL 30, 2024

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CHRISTIAN COUNTY

ZONING BOARD OF APPEALS

APRIL 30, 2024

6:00 P.M.

ZONING BOARD:

Ms. Adrian Adcock, Chairperson

Mr. Glen Goodrich

Ms. JoAnn Howard

Mr. Joe Door

Mr. Craig Berner

Mr. Len Corzine

Ms. Janet DeClerck

Ms. Nichole Lanham

PRESENT:

Mr. Blake Tarr, Zoning Administrator

Ms. Mary Barry, Christian County Assistant  
State's Attorney

Mr. Jarred Rahar, Attorney at Law

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PRESENT CONTINUED:

Mr. William Shay  
Westervelt, Johnson, Nicoll & Keller, LLC  
411 Hamilton Boulevard, Suite 1400  
Peoria, Illinois 61602

Mr. Reuben Grandon

Ms. Bonnie Mizeur

Ms. Glenda Garrett

Ms. Sandra K. Haines, Court Reporter,  
CSR No. 084-002423

CHAIRPERSON ADCOCK: Roll-call.

MR. BLAKE TARR: Adrian Adcock.

CHAIRPERSON ADCOCK: Here.

MR. BLAKE TARR: Craig Berner.

MR. BERNER: Here.

MR. BLAKE TARR: David Copenbarger.

Len Corzine.

MR. CORZINE: Here.

MR. BLAKE TARR: Joe Dorr.

MR. DORR: Here.

MR. BLAKE TARR: Glen Goodrich.

MR. GOODRICH: Here.

MR. BLAKE TARR: Joann Howard.

1 MS. HOWARD: Here.

2 MR. BLAKE TARR: Janet DeClerck.

3 MS. DECLERCK: Here.

4 MR. BLAKE TARR: And Nichole Lanham.

5 MS. LANHAM: Here.

6 MR. BLAKE TARR: We have a quorum.

7 CHAIRPERSON ADCOCK: Thank you. First  
8 I would like to have a motion to approve the  
9 minutes from the March 26th, 2024 ZBA meeting  
10 held at 6:00 P.M.

11 MR. GOODRICH: Glen Goodrich, I will  
12 make a motion to accept the minutes.

13 MR. DORR: I will second.

14 CHAIRPERSON ADCOCK: Second by Joe  
15 Dorr. All those in favor?

16 ZONING BOARD OF APPEALS MEMBERS: Aye.

17 CHAIRPERSON ADCOCK: Motion carries.

18 I would like to note at the March 26th  
19 meeting we had approved the February 27th  
20 meeting minutes, and on the transcript Page 29  
21 that was the handout Blake had given everyone  
22 the text is correct, but as you see noted Ms.  
23 Barry and Bonnie's names were switched on two  
24 statements. So, I would like to amend the

1 motion to correct the meeting minutes for the  
2 record to correct the names. Do we have a  
3 motion?

4 MR. CORZINE: So moved.

5 MS. HOWARD: Second.

6 CHAIRPERSON ADCOCK: All those in  
7 favor?

8 ZONING BOARD OF APPEALS MEMBERS: Aye.

9 CHAIRPERSON ADCOCK: Motion carries.

10 Next item of business I would like a motion  
11 to approve the minutes from the April 5th, 2024  
12 ZBA meeting held at 1:00 P.M.

13 MR. DORR: I will make the motion to  
14 approve the minutes from the April 5th meeting.

15 MR. GOODRICH: Glen Goodrich, second  
16 it.

17 CHAIRPERSON ADCOCK: Okay. All those  
18 in favor?

19 ZONING BOARD OF APPEALS MEMBERS: Aye.

20 CHAIRPERSON ADCOCK: Motion carries.

21 All right. So, if we look at the agenda  
22 for this evening, this is picking up from the  
23 previous two hearings of the zoning special use  
24 application for North Pana Solar.

1           So, for background North Pana Solar applied  
2           for the special use application September 29th,  
3           2023. The County Board had approved updated  
4           solar ordinances September 19th to comply with  
5           the State standard setbacks, and was routed to  
6           the Zoning Board of Appeals for a public hearing  
7           in October, ultimately approved by the County  
8           Board November 7th, 2023. Per the State's  
9           Attorney's Office, its direction, the Board was  
10          to follow the setback requirements with the  
11          State standard compliance, which was only 50  
12          feet difference.

13           Our code had a severability clause in the  
14          ordinance that specifically highlighted that  
15          there was anything invalid in any section,  
16          subdivision, paragraph, or other part of this  
17          ordinance shall not affect the validity or the  
18          effectiveness of the remainder of the ordinance.  
19          Therefore, it is the view of this Board we do  
20          have a standing ordinance.

21           It is also the view of this Board that  
22          Pana's new zoning ordinance that was passed, it  
23          was passed after the North Pana Solar  
24          application for a special use permit, therefore,

1 shall not be a factor of consideration this  
2 evening.

3           Again this is the third night of hearings.  
4 Per our code you have to have been present every  
5 night of the hearing to vote. We have now  
6 appointed two alternates, and our previous  
7 Chairman has stepped down. Mr. Corzine joined  
8 the meeting via FaceTime, but the only eligible  
9 voters for this evening are Mr. Door,  
10 Mr. Goodrich, Mrs. Howard, and myself. All  
11 Board members are free to ask questions and  
12 participate in deliberation.

13           Finally, again this is the third night of  
14 hearings. We are picking up from the February  
15 27th hearing where Mr. Door had tabled the  
16 discussion pending input from the municipality  
17 as well as agreement between the applicant and  
18 the homeowner and any other items that North  
19 Pana Solar could find agreements with. The  
20 public comment was closed.

21           So, for the presentation this evening the  
22 applicant will present their vegetative plan,  
23 and to answer any questions from the Zoning  
24 Board of Appeals, as well as discuss any items



1 present the vegetative plan.

2 MR. REUBEN GRANDON: Yes, absolutely.

3 I prepared a PowerPoint presentation for  
4 tonight. Is there the opportunity to show that  
5 here?

6 CHAIRPERSON ADCOCK: What is it in  
7 regard? Is it the vegetative plan that you are  
8 going to --

9 MR. REUBEN GRANDON: Yes, yes, it does  
10 have the full kit and caboodle, but I understand  
11 we are just thinking about the specific items  
12 that you just mentioned, the vegetative plan.

13 CHAIRPERSON ADCOCK: The vegetative  
14 plan, and then it will be opened up to the Board  
15 to ask any questions.

16 MR. REUBEN GRANDON: Okay. That sounds  
17 good.

18 MS. MARY BARRY: If they are limiting  
19 their presentation to the vegetative plan, I am  
20 okay with them putting it up on the board.

21 CHAIRPERSON ADCOCK: And any  
22 communication that you have had with the  
23 municipality.

24 MR. WILLIAM SHAY: Should I be sworn in

1 at the same time?

2 CHAIRPERSON ADCOCK: Are you going to  
3 speak at the same time?

4 MR. WILLIAM SHAY: Not at the same  
5 time.

6 CHAIRPERSON ADCOCK: Okay. We will  
7 wait then, thank you.

8 MR. REUBEN GRANDON: I am sorry, I kind  
9 of have my back to some of you guys. It is a  
10 little bit tricky because I need to face you  
11 guys as well. So, I apologize for that, not my  
12 best side.

13 So, thanks a lot for having me back here.  
14 It is really great to be working on this  
15 application.

16 I think myself I reached out to Christian  
17 County on this land use application way back in  
18 March of 2023. So, it is really good to be back  
19 here and to be making this progress.

20 Following the Zoning Board of Appeals  
21 hearing in February of 2024 we did make some  
22 voluntary revisions to our plan. One of those  
23 is the vegetation management plan. So, I have  
24 the full presentation here, but I skipped

1 forward to just this site plan right here that  
2 was submitted at the February ZBA meeting. So,  
3 I wanted to just step through the voluntary  
4 changes.

5 So, for context and everybody probably  
6 knows this, but we are north of the Pana city  
7 limits in Christian County on 2400 East Road,  
8 and this property is about 37 acres in size.  
9 Our proposed facility is 35 acres. Directly to  
10 the east of us is the Ameren substation or  
11 operating center, the substation. Then on the  
12 north side of the property there are high  
13 voltage transmission lines, and on the south  
14 side of the property there is also high voltage  
15 transmission lines going east and west to the  
16 substation.

17 So, following that February hearing these  
18 are the things that we have done.

19 Number one, we removed the solar panel  
20 array from, yes, excuse me, we removed the solar  
21 panel array that was located to the south of the  
22 residential parcel that's located to the east of  
23 the solar facility. So, if you are looking back  
24 at this plan, you see that skinny line in the

1 southeast corner that's been removed.

2 We stepped back the perimeter fence in  
3 addition to what's required. So, now the  
4 perimeter fence is 50 feet off of the property  
5 line of the two acre residential property. So,  
6 on the east side of our facility next to that  
7 two acre parcel and on the south side of our  
8 facility next to the two acre parcel our fence  
9 is now 50 feet back off the property line.

10 We added a vegetative buffer or a green  
11 screen in between the west side of the  
12 residential property line and our fence and the  
13 north side of the residential property and our  
14 fence. So, in between our fence and that two  
15 acre property will be the green screen, so  
16 providing a nice visual buffer there.

17 And then we did implement the vegetation  
18 management plan. That's built and developed to  
19 Illinois Department of Natural Resources  
20 standards. We are aiming to get a score of 90  
21 on the Illinois pollinator scorecard, which  
22 makes it a pollinator friendly habitat. There  
23 is a lot of native species, a lot of perennial  
24 species similar to what you would find in a

1 prairie. There is different types of seeds that  
2 we will use. Ones that grow under the panels  
3 and in between the rows will be different than  
4 the ones that go around the perimeter. But the  
5 whole purpose there is to do a lot to control  
6 erosion, a lot to build the soil over the life  
7 of the facility, and help with any type of  
8 drainage that may be present on the land. So,  
9 making sure that we are holding that soil and it  
10 is not bare.

11 Then the last thing we did is I sent out a  
12 letter just introducing myself and this project,  
13 and providing my contact information to all of  
14 the landowners that are directly adjacent to the  
15 subject property. I heard back from one of  
16 those landowners, and they just said hey, be  
17 careful of this property line, make sure you  
18 have it surveyed. So, kind of a nice advisory,  
19 make sure you get that property line surveyed.  
20 I didn't hear from anybody else in response to  
21 that neighbor letter.

22 So, those are the specific steps that we  
23 took at a high level, and then these next slides  
24 kind of show it in more detail so we can see it

1 a little better.

2 So, here is the zoning site plan that's  
3 revised. So, you can see those panels are gone  
4 from the southeast corner. The fence is further  
5 back. There is a vegetative buffer; and if you  
6 see that circle that's just to the southeast of  
7 the solar facility, that circle is marking 150  
8 feet from the dwelling. That's the State  
9 Statute. We need to be at least a hundred fifty  
10 feet back from the dwelling in order to comply  
11 with the State Statute. So, that's what that  
12 circle is showing, and you can clearly see here  
13 that our panels and our facility are at least  
14 150 back. So, we are fully compliant.

15 Here is a different image, a little more  
16 colorful, a little easier to see. This shows  
17 approximately the location of the solar array in  
18 red with the vegetative buffer in yellow, so in  
19 between where that residence would see the  
20 property to the west and to the north of that  
21 residential two acre property.

22 This is just zoomed in on the zoning site  
23 plan. So, that may be hard to see at this  
24 level, but that squiggly line that's in between

1       our fence and the property line is that  
2       vegetative screen there as well. So, there is a  
3       green screen between that two acre residential  
4       property and the solar facility.

5               Then in terms of what I would like to  
6       cover, I would love to be able to talk more and  
7       just give you more about our application and  
8       other things that we have submitted; but I do  
9       want to be respectful, Chairwoman, and  
10      understand the process and how much we can speak  
11      on the topic or not.

12              CHAIRPERSON ADCOCK: Well, we very much  
13      liked the presentation. This is the first time  
14      that we have had this. So, it would have been  
15      beneficial to have had it a little earlier in  
16      the process. So, the motion at the end of the  
17      February meeting was communication with  
18      municipality, the landowner, and vegetative  
19      plan.

20              So, I think we should stop there, but I  
21      want to open it up to the Board to ask whatever  
22      questions you have, which may end up needing for  
23      you to look at a slide.

24              MR. REUBEN GRANDON: Okay, that sounds

1 good.

2 CHAIRPERSON ADCOCK: The floor is  
3 yours.

4 MR. DORR: At this point I don't have  
5 any questions.

6 MR. CORZINE: Len Corzine, a couple  
7 questions on your vegetation and your order.

8 CHAIRPERSON ADCOCK: A little bit  
9 louder.

10 MR. CORZINE: Your vegetation will be  
11 between the fence and the border, right?

12 MR. REUBEN GRANDON: Just to clarify  
13 our vegetation will be between our perimeter  
14 fence and the subject property line.

15 MR. CORZINE: Right. On your -- I have  
16 got the same slide up here. So, your vegetation  
17 will be within the 150 feet?

18 MR. REUBEN GRANDON: Yes, yes, the  
19 vegetation itself, the vegetation that's  
20 providing the buffer will be within the 150 more  
21 than likely, yes.

22 MR. CORZINE: I am not sure in the  
23 statute it is -- it is 150 feet. I am not sure  
24 if your vegetative plan, which I am glad you

1 have got, and I really am. I will mention I am  
2 really pleased that you took that south away to  
3 give them a view there at least; but if you, and  
4 maybe it is not a big deal, I would have thought  
5 that the vegetative plan would have been the  
6 beginning of your project. So, it should have  
7 been a little bit further away where you are 150  
8 feet. You know what I mean?

9 MR. REUBEN GRANDON: I see what you are  
10 saying, and I think I understand the question.

11 Respectfully we want to do everything up to  
12 code, and so the way that the property tax code  
13 defines the commercial solar energy facility it  
14 includes, and don't quote me here, it includes  
15 the components of the facility, and I don't  
16 believe the vegetative screen would be  
17 considered a part of that. So, I do not believe  
18 we are subject to the setback rule for the 150  
19 for the vegetative screening itself.

20 If we wanted to consider that further, we  
21 would be happy to talk that through. I guess  
22 off the top of my head my concern becomes a  
23 little bit how much land are we going to leave  
24 that's not utilized, or under utilized, or

1       vacant, and we certainly are somewhat site  
2       constrained. So, we would need to think about  
3       it from a design perspective.

4               MR. CORZINE: Thank you for that, but  
5       by the drawing it would not be very far.

6               MR. REUBEN GRANDON: Yes, and one thing  
7       I didn't mention is that with this driveway here  
8       located on that part of the property, the  
9       intention of having that driveway there is to  
10      sort of get after what you are asking is to  
11      create more of a buffer.

12              A rule of thumb for us is we try to work  
13      through the land use process and permit just a  
14      little bit extra than we might need because it  
15      is easier to make that smaller in the future,  
16      and it is a lot harder to make that bigger in  
17      the future. So, the reason that we are thinking  
18      about the driveway location there is because  
19      that could be a natural place to provide even  
20      more buffer than what's shown on this site plan,  
21      but too early to be determined on that right  
22      now.

23              MR. CORZINE: If I might, another  
24      question on the border and where you put the

1 fence -- I farm, okay. So, we deal with  
2 property lines. Do you generally lay back let's  
3 say a foot or something so your posts aren't  
4 right on that line? I mean that makes  
5 everything easier for everybody. Can you do  
6 that? What's your practice?

7 MR. REUBEN GRANDON: Oh, yeah,  
8 absolutely. Typically one to three feet off of  
9 the property line.

10 MR. CORZINE: So, you won't be right on  
11 it?

12 MR. REUBEN GRANDON: No, not right on  
13 the right-of-way line, or not right on the  
14 property line, but typically a foot back or so.

15 MR. CORZINE: Okay.

16 MR. REUBEN GRANDON: So, the neighbor  
17 to the west could farm right up to our fence  
18 line for all intents and purposes. And for us  
19 we would be responsible for the management of  
20 the grounds outside or inside our fence line on  
21 the property.

22 MR. CORZINE: Okay, good, because farm  
23 equipment gets into those kind of things,  
24 sometimes they try to get close, right.

1                   MR. REUBEN GRANDON: Yes, yes. That's  
2                   a good point. We really want to try to make it  
3                   in a shape or make it in a figuration that  
4                   maximizes the farming that can happen right  
5                   around it as well. So, like that western  
6                   property line we want that farmer to be able to  
7                   farm right up to it.

8                   MR. CORZINE: Good. Another question  
9                   on the entry, will you be putting in a new  
10                  culvert because you will need probably more  
11                  than -- I don't think there is much, maybe not  
12                  anything right there. My memory escapes me.

13                  MR. REUBEN GRANDON: There is a  
14                  driveway and a culvert for the residence that's  
15                  right there, but I don't believe that extends  
16                  into the area that we are talking right here.  
17                  There is a ditch. There is drainage right  
18                  through there.

19                  So, honestly it is really up to Pana  
20                  Township. We will just need to build it to  
21                  their specifications. So, I think Chris is the  
22                  township supervisor for the roadways, and we  
23                  will need to get his feedback on if that  
24                  location is even suitable, and then build it to

1 his specifications.

2 So, we will be happy wherever it ends up in  
3 there, but absolutely everything will be done  
4 according to his rules and regulations.

5 MR. CORZINE: So, you have already  
6 talked with him on the roadway and all of those  
7 kind of things?

8 MR. REUBEN GRANDON: We have attempted  
9 to make contact, and we had a really brief short  
10 conversation, but we haven't had a very long  
11 conversation yet. So, we will continue to reach  
12 out to him, and certainly by the time we get to  
13 a building permit we will need to have all of  
14 that ironed out before we can get a building  
15 permit and definitely before we can start  
16 construction.

17 MR. CORZINE: Right. So, while I am on  
18 that what direction will you be bringing the  
19 equipment in?

20 MR. REUBEN GRANDON: Again I think we  
21 need to defer to the authority having  
22 jurisdiction. In my mind right now we would  
23 come off of the Illinois state highway, and go  
24 east on 400 North until we got to this property

1 right here on 2400 North, 2400 East.

2 MR. CORZINE: Actually you have about  
3 three state highways not very far away. So, you  
4 mean coming from Route 29?

5 MR. REUBEN GRANDON: Come southeast on  
6 29, and then take a dead east on 400 North, and  
7 then turn left or turn north onto this roadway  
8 up to the substation.

9 MR. CORZINE: Okay.

10 MR. REUBEN GRANDON: Again that's just  
11 proposed. We need to work with Chris and Pana  
12 Township to make sure.

13 MR. CORZINE: So, you would be flexible  
14 on that somewhat with that, you will work with  
15 him?

16 MR. REUBEN GRANDON: Absolutely, I mean  
17 everything that we do with that regard is  
18 subject to their approval. So, maybe thinking  
19 about the weight of the trucks, the time of the  
20 year, the specific location of the driveway. It  
21 is all subject to his approval, but yes,  
22 certainly we would need to have that by the  
23 building permit.

24 MR. CORZINE: Sorry, for so many

1 questions, but another one, in that when you are  
2 putting in your culvert of the size that you  
3 need there should be the drainage commissioners  
4 involved in that. I don't believe, my  
5 understanding or somewhere I read there is not  
6 field tile or drainage tile that goes through  
7 the property, but it is still in a drainage  
8 district as far as working with them to make  
9 sure you have got a culvert that's not going to  
10 impede any of the waterway, right?

11 MR. REUBEN GRANDON: Yes, yes,  
12 absolutely, we will need to work with the  
13 drainage district, and you are right, there is  
14 no known agricultural field drainage tile on the  
15 property. The elevation of the property is like  
16 two feet of difference. It is really pretty  
17 flat out there, but certainly when we cross that  
18 drainage ditch, we will need to work with that.  
19 That's the Assumption Pana Drainage District  
20 number one, I believe. I left a voicemail for a  
21 gentleman named Mike, and we haven't connected  
22 yet, but certainly when we pull a building  
23 permit, that will be incorporated into that  
24 including the culvert. We will look for them to

1 tell us the size of the culvert and exactly  
2 where it can go. And once we get off of that  
3 public road and into the private property, then  
4 we are clear, I believe. So, if it needs to be  
5 moved a little to the north or adjusted, then we  
6 are amenable to that.

7 MR. CORZINE: All right. Thank you.

8 MR. REUBEN GRANDON: Yes, thanks for  
9 the questions.

10 MR. BERNER: Craig Berner, so the  
11 property to the south that you are not going to  
12 put the panels in, I mean is it just part of  
13 this vegetative species of grass and pollinator  
14 program? What goes in there?

15 MR. REUBEN GRANDON: The part of the  
16 subject property that we are on where we are not  
17 putting solar.

18 MR. BERNER: Correct.

19 MR. REUBEN GRANDON: Like that  
20 southeast corner, yes, it will have the same  
21 type of vegetation management plan on it that we  
22 have for the rest.

23 MR. BERNER: Does it get mowed off or  
24 growed up?

1                   MR. REUBEN GRANDON: Occasionally. I  
2 mean we don't need to mow it that frequently.  
3 It is okay with us if, you know, the panels are  
4 usually 18 to 22 inches or so above grade. So,  
5 it can grow that high. If it starts to shade  
6 the panels, then we are certainly incentivized  
7 to go out there, and also picking species that  
8 aren't going to grow too tall or too fast. So,  
9 occasional mowing, but not too frequently as  
10 needed.

11                   MR. BLAKE TARR: Reuben, are you able  
12 to wake your computer back up for the board,  
13 please.

14                   MR. REUBEN GRANDON: I believe so.

15                   MS. HOWARD: Can you put that first  
16 slide up there where you had your list of  
17 changes?

18                   MR. REUBEN GRANDON: Yes, with all of  
19 the words on it, this one?

20                   MS. HOWARD: Yes.

21                   MR. REUBEN GRANDON: It is not the  
22 biggest thing in the world, is it. I have some  
23 print-outs. Let me see where I put them. I  
24 printed these two slides per page. If you want

1 to pass these out, you are welcome to.

2 MS. HOWARD: I have one more question.

3 MR. REUBEN GRANDON: Yes.

4 MS. HOWARD: Can you give me an  
5 estimate of how many neighbor letters that you  
6 sent out?

7 MR. REUBEN GRANDON: Oh, yes, sure. I  
8 have that here. It was to each of the adjacent  
9 property owners. Bear with me, okay.

10 MS. HOWARD: So, there weren't that  
11 many?

12 MR. REUBEN GRANDON: Here it is: One,  
13 two, three, four, five, six, seven. There are  
14 seven.

15 MS. HOWARD: I don't need to see it.  
16 Thank you.

17 MR. REUBEN GRANDON: Yes, so each of  
18 the landowners on the Christian County  
19 assessor's site that owned property that abuts  
20 the subject property we sent them a letter, and  
21 I think that was above and beyond what's  
22 required by the County ordinance. There is  
23 nothing in the County ordinance that I am aware  
24 of that requires us to reach out to them. There

1 is a public notice requirement, and from my  
2 understanding talking to the zoning  
3 administrator that had been done ahead of this  
4 hearing. So, each of the neighbors should have  
5 received something from the County.

6 The purpose of that letter was really just  
7 to give them a direct line to me with my cell  
8 phone number on it and my e-mail as well. So, I  
9 just wanted to try to open up the lines of  
10 communication.

11 On that topic too since that February 27th  
12 hearing we tried multiple times to reach out to  
13 the neighbors who spoke, Steve and Bonnie  
14 Mizeur, just to talk through these items on this  
15 list.

16 MS. HOWARD: Were you able to do that?

17 MR. REUBEN GRANDON: I left voicemails,  
18 and I sent a letter by certified mail; but I  
19 never got a response. So, I didn't hear  
20 anything directly from them.

21 MR. CORZINE: Len Corzine again. On  
22 your process when you -- I am glad you worked  
23 with the NRCS on your vegetative plan. Does  
24 that include you got something, I noticed in the

1 plan for under and around the panels, right?

2 MR. REUBEN GRANDON: Yes.

3 MR. CORZINE: In your process you will  
4 about have to get that seeded and something  
5 established before you put the panels in, won't  
6 you?

7 MR. REUBEN GRANDON: Yes, it will go at  
8 the same time as construction, yes. So, the  
9 process, and forgive me, I know you guys have  
10 worked with different solar before, so you  
11 probably already know this; but one of the first  
12 things we do is put the steel piles in. So,  
13 once our surveyor goes out there and marks where  
14 each of our steel posts should go, then those  
15 are effectively hammered in with like a  
16 hydraulic attachment. There is sometimes  
17 specialized equipment sometimes on a Cat or  
18 Deere you can just attach something, but they  
19 are effectively just pounded in; and then at  
20 that point you are doing the cross beams or the  
21 racking on top of that, and then the panels on  
22 top of that itself. So, yes, when you put those  
23 posts in, you can do the vegetation management  
24 right there at that time.

1           MR. CORZINE: My thought you would do  
2 that first because you can get something seeded  
3 before the posts are in your way.

4           MR. REUBEN GRANDON: Yeah, yeah, and it  
5 depends exactly on the time of the year that we  
6 are putting it in as well. That can certainly  
7 be a factor, but I will be the first to say we  
8 hire professionals to do that. So, we will rely  
9 on somebody that has the expertise in that field  
10 to help us with that.

11          MR. CORZINE: When you are doing your  
12 seeding and the vegetation, will you include the  
13 local, the County soil conservation service  
14 folks?

15          MR. REUBEN GRANDON: Yes, yes, the  
16 storm water or SWCD, Soil and Water Conservation  
17 District. We will incorporate them and get  
18 recommendations. Ideally we will be able to  
19 procure seeds locally as possible. I know the  
20 DNR looks favorably upon that if we can procure  
21 those locally. So, that's one aspect of this  
22 whole facility that we will definitely be  
23 looking for local resources for.

24          MR. CORZINE: Thank you.

1 MR. REUBEN GRANDON: Yes, absolutely.

2 MR. WILLIAM SHAY: Madam Chairman, I  
3 might be able to shed some more light on the  
4 question about whether the green screen is  
5 within the 150 feet.

6 CHAIRPERSON ADCOCK: Okay. You can be  
7 sworn in, please, now.

8 (Whereupon Mr. William Shay was  
9 duly sworn/affirmed on his oath.)

10 MR. WILLIAM SHAY: This will be real  
11 quick. I checked the definition after you asked  
12 the question about whether the green screen  
13 being, if it is within 150 feet whether that has  
14 to be set back 150, whether that's included; and  
15 the definition in the State Statute Public Act  
16 102-1123, which defines commercial solar energy  
17 facility refers to the property tax code of  
18 Illinois, and specifically the definition under  
19 the property tax code of commercial solar energy  
20 system that's in Section 10-720 of the property  
21 tax code, and that commercial solar energy  
22 system is defined, and I am shortening it to the  
23 pertinent portion, a device quote, unquote,  
24 using solar energy for generation of

1 electricity. So, I think device is the  
2 operative word, and so the question is whether  
3 trees forming a green screen are devices as  
4 such. I won't opine on that. I am just  
5 relating what the statute says.

6 MS. MARY BARRY: I mean the actual  
7 solar refers to a component without defining it.  
8 I agree with your tracking on the definition of  
9 what a commercial solar energy system is. I  
10 have done no research on this other than say I  
11 agree that that is how that's defined. I don't  
12 know that there is any background on how  
13 component is defined under the Solar Act.

14 MR. WILLIAM SHAY: Again it refers to  
15 the property tax code definition, which includes  
16 the word device.

17 MS. MARY BARRY: Right. I am not  
18 disagreeing with that, but having done no  
19 further research on that I am not going to opine  
20 to that.

21 MR. CORZINE: It might be worth  
22 checking because is the vegetation plan part of  
23 the system.

24 MS. MARY BARRY: I think that's where

1 we have the open question right now.

2 MR. WILLIAM SHAY: In my mind it is --  
3 the question specifically is whether, because of  
4 the reference to the property tax code whether  
5 the green screen is a device for generating  
6 electricity from solar energy.

7 MR. REUBEN GRANDON: I could add that  
8 in the State Statute in the zoning subsection,  
9 so this is 55 ILCS 5/5-12020 Subsection L, this  
10 says -- it is about the vegetative screening.  
11 It says a County may require certain vegetative  
12 screening surrounding a commercial wind energy  
13 facility or commercial solar energy facility,  
14 but may not require earth and berms or similar  
15 structures. And to me my read on that is that  
16 may require certain vegetative screening  
17 surrounding the facility, which to me indicates  
18 that it is separate from the facility, not the  
19 facility itself.

20 CHAIRPERSON ADCOCK: Can we go back to  
21 the graphic. Are we saying that this vegetative  
22 plan is 50 feet from the non-participating  
23 property?

24 MR. REUBEN GRANDON: Zoom in a little

1 bit. So, this probably is the better one, let's  
2 see here. Okay, there we go. That's probably  
3 the better one.

4 So, you can see that line with the X on it  
5 to the north of the residential acreage, and  
6 then to the west that's the fence right there.  
7 That's what that symbol is. That's 50 feet on  
8 the west side and a little more than 50 feet on  
9 the north side. Then on the west side the green  
10 screen is between the fence and the neighboring  
11 property or our subject property line, so within  
12 that 50 feet on the west side. On the north  
13 side without seeing the dimensions clearer I am  
14 not quite sure, but we effort to do everything  
15 entirely to code, and we try to be incredibly  
16 thorough. So, our understanding of the  
17 ordinance and the State Statute is that the  
18 green screen can be in that setback just like a  
19 fence could be in that setback. So, that's the  
20 reason that it is shown like that here.

21 MS. MARY BARRY: That green screen will  
22 be, I apologize if I could ask it, on your  
23 property?

24 MR. REUBEN GRANDON: Yes, exactly. So,

1       just the order from -- let's just look at the  
2       west side.  So, we have our array, and then  
3       moving to the east we will have our fence line,  
4       moving to the east the vegetative green screen,  
5       and then to the east is the property line of our  
6       property line, which is shared with the two acre  
7       property line, so the green screen between our  
8       perimeter fence and our property line on the  
9       east side.

10               CHAIRPERSON ADCOCK:  And was this based  
11       on surveyed, or was this based on what is  
12       currently farmed?

13               MR. REUBEN GRANDON:  This is a  
14       preliminary conception design that was based off  
15       of what's available from maps like from the  
16       Christian County Assessor's site or other  
17       softwares that are similar.  So, before  
18       construction or before a building permit we will  
19       have a full ALTA survey that's done, and then we  
20       will have a legal metes and bounds description  
21       of the leased area, and all of this will be  
22       further specified at the building permit time.  
23       This is more conceptual at this phase.

24               CHAIRPERSON ADCOCK:  So, when I had

1 reviewed the GIS, it had shown that within the  
2 property of the homeowner that they had farmed  
3 that acreage before, part of their yard, and so  
4 I was just making sure that your graphic doesn't  
5 show that.

6 MR. REUBEN GRANDON: I see, yes. It  
7 could be that the overlay is a little bit off,  
8 but I am not quite sure -- I am not quite sure  
9 on the following exactly, but I think it is safe  
10 to say that before we will start construction we  
11 will make sure we have an ALTA survey. We  
12 certainly don't have property rights to be  
13 anywhere outside of our subject property, and we  
14 are agreeing to have the fence at least 50 feet  
15 off of those property lines. So, those will  
16 definitely be adhered to prior to commencing  
17 construction.

18 CHAIRPERSON ADCOCK: I am sorry, one  
19 more point of clarification. So, the fence will  
20 be 50 feet off, but the vegetative plan you are  
21 saying will be within that 50 feet, correct?

22 MR. REUBEN GRANDON: Yes. So, the  
23 vegetative screening itself will be in between  
24 the fence and the property line that contains

1 the residence. That's for the vegetative  
2 screening. Not to confuse it a little bit more,  
3 but there is also the vegetative management  
4 plan, which is separate from the vegetative  
5 screening, and that includes our like native  
6 species and pollinators.

7 CHAIRPERSON ADCOCK: Mr. Berner had  
8 asked a question about the southeast corner, and  
9 I think I am confused now. So, when you removed  
10 the solar panels from the southeast corner,  
11 what's going to be there?

12 MR. REUBEN GRANDON: We are going to  
13 implement our vegetative management plan in that  
14 southeast corner. We intend to -- we could say  
15 that that's, or I should say that's also subject  
16 to the property owner themselves, but it seems  
17 to me to make the most sense to just go ahead  
18 and implement the vegetation plan as we will be  
19 responsible for the entire subject property.

20 CHAIRPERSON ADCOCK: That could be 18  
21 to 20 inches tall?

22 MR. REUBEN GRANDON: Yes, potentially,  
23 yes.

24 CHAIRPERSON ADCOCK: Are there

1 additional -- yes, Miss Howard.

2 MS. HOWARD: Refresh my memory. So,  
3 the interconnection agreement has been settled  
4 with Ameren?

5 MR. REUBEN GRANDON: Yes, we do. We  
6 have an interconnection agreement with Ameren.

7 MS. HOWARD: I know we discussed it,  
8 but I don't remember the outcome.

9 MR. REUBEN GRANDON: Yes. When we  
10 originally -- it has been a little bit confusing  
11 because when we originally submitted, we had the  
12 application to Ameren, but we had not received  
13 the agreement yet. So, in between then and the  
14 February hearing we received the full agreement.  
15 So, when we came February 27th, we had that in  
16 hand.

17 That's significant for us because working  
18 with the utility is a big part of this. It is a  
19 major milestone, and to have an interconnection  
20 agreement makes this a very tangible and  
21 realistic project.

22 CHAIRPERSON ADCOCK: Can you walk  
23 through the entrance that you intend to use and  
24 how many feet it is from the homeowners'

1 driveway, please.

2 MR. REUBEN GRANDON: Yes, that proposed  
3 entrance I do not have the dimensions of it yet.  
4 So, I could not speak to exactly how far it is.  
5 If you are looking at this site plan, the fence  
6 that's north of the residential two acre lot is  
7 at least 50 feet from the property line for that  
8 lot with the dwelling. So, we are at least 50  
9 feet north from the existing two acre parcel;  
10 but to say how much further north we are, I  
11 don't think I could say for sure, and again  
12 that's really subject to Pana Township Highway  
13 Commissioner Chris and his authorization for a  
14 driveway at this proposed location.

15 CHAIRPERSON ADCOCK: So, where is the  
16 interconnection going to be?

17 MR. REUBEN GRANDON: The  
18 interconnection will be close to where that  
19 driveway is located. If you look just to the  
20 north of that driveway, you see a small  
21 rectangle or a small square. That's the  
22 electrical equipment pad, and from there the  
23 point of interconnection will tie into the grid  
24 from that location.

1                   CHAIRPERSON ADCOCK:   Okay.

2                   MR. DORR:   Is that overhead or  
3                   underground?

4                   MR. REUBEN GRANDON:   That will be  
5                   subject to Ameren's requirements.   So, we don't  
6                   really get to have a say, but as far as we have  
7                   been working with them it has all been overhead  
8                   so far.

9                   CHAIRPERSON ADCOCK:   So, in your  
10                  application you said that you intend to comply  
11                  with the noise standards -- forgive me, I forgot  
12                  the terminology.   What sound study have you  
13                  performed of what the noise would be too for the  
14                  house?

15                  MR. REUBEN GRANDON:   Yes, so with these  
16                  types of solar facilities we are beholden to the  
17                  Illinois Pollution Control Board sound  
18                  restrictions and limitations.   So, there is a  
19                  State Statute that requires us to be below  
20                  certain decibels.   We can design a facility like  
21                  this with the ability to put all of the noise  
22                  producing devices inside of the facility so that  
23                  by the time you are at the perimeter fence of  
24                  the facility or the property line you don't hear

1 anything. It is all just background noise, or  
2 the sound is effectively dissipated.

3 So, once this facility is constructed and  
4 mechanically operational, then we would have an  
5 engineer go out and do a sound analysis to  
6 demonstrate that we are in compliance with those  
7 regulations. If we were not in compliance, then  
8 we would be in violation of State Statute, and  
9 could jeopardize our special use permit. So,  
10 that will be conducted once it is operational;  
11 but I think it is useful to -- I think I brought  
12 it with me.

13 So, this is the fan that produces noise.  
14 This is the size of the fan. We use string  
15 inverters for a facility like this, and when the  
16 sun is shining and we are doing a lot of solar  
17 power generation, it is those string  
18 inverters that are converting -- so, these are  
19 string inverters where they are just placed  
20 inside of the facility, and they are converting  
21 it from DC energy to AC energy. And don't quote  
22 me on this, but think of it like a large checked  
23 suitcase or maybe a carry-on suitcase maybe  
24 about that size, and this is the fan that keeps

1       it cool. It could be comparable to a newer like  
2       central air conditioning unit that you would  
3       have in a residential subdivision or something  
4       of that nature.

5               So, it is only working when it is sunny  
6       out, when they are actually producing energy.  
7       So, no noise at night, and through the IPCB  
8       standards we can look at the charts and  
9       demonstrate that our decibels as rated by the  
10      manufacturer. And then thinking about the  
11      classification of land uses adjacent if you look  
12      at the checklist that we submitted with the  
13      application materials, we won't have any noise  
14      at the perimeter fence or beyond the property  
15      line. So, there is no concern there.

16              CHAIRPERSON ADCOCK: So, other projects  
17      you have completed you have passed all of the  
18      noise analysis?

19              MR. REUBEN GRANDON: Yes. We need to  
20      otherwise we could be subject to termination of  
21      our permit.

22              To be honest it is really an easy standard  
23      to meet because of the string inverters. It is  
24      just really a matter of design to place the

1           inverters in the proper location.

2                       MR. CORZINE:   Len Corzine again.   How  
3           many of those suitcases will there be?

4                       MR. REUBEN GRANDON:   That's a good  
5           question.   I don't think I have that answer even  
6           in this packet of materials.

7                       MR. CORZINE:   I mean will it be --

8                       MR. REUBEN GRANDON:   Roughly 20 to 40,  
9           something like that, but don't take that  
10          verbatim.   It is something in that ballpark.

11                      MR. CORZINE:   I drive by there once in  
12          awhile.   Would there be anything to keep you  
13          from keeping that equipment -- I noticed in your  
14          site plan you have got equipment pretty much in  
15          the corner closest to the residence.   I know the  
16          power poles, there is one set of power poles  
17          that goes along the north side.   Is there  
18          anything to prevent you from moving anything  
19          that would be noise producing up there?

20                      MR. REUBEN GRANDON:   Yes.   So, the  
21          design itself we will make sure that all of the  
22          string inverters or the noise producers are not  
23          going to emit any audible sound at the property  
24          line.   So, no impacts from sound outside of the

1 property line onto the neighboring properties.

2 You are right, there are high voltage  
3 transmission lines on the northern property line  
4 going east and west, and those do create a  
5 little bit of noise. There is also high voltage  
6 on the southern property line going east and  
7 west as well.

8 It is something we could look at, yes. To  
9 answer your question more directly if that was  
10 something that this Board thought would be an  
11 appropriate condition of approval to move the  
12 driveway or to move the electrical equipment  
13 pad, which is that little pad that we showed on  
14 the screen to the north, we could certainly look  
15 at that; and if that would be something that  
16 would be preferred, we would be happy to.

17 We do have to think about Ameren and our  
18 agreement with the point of interconnection.  
19 That's a major piece of these, and just to zoom  
20 out a little bit, these aren't the types of  
21 projects that you can easily just move down the  
22 street or across the road. It is really tied to  
23 a specific location. So, that's something we  
24 would need to evaluate; and then the other piece

1 is the driveway, which we have talked about a  
2 little bit.

3 MR. CORZINE: We have talked about, and  
4 like I say I don't know what would prevent you  
5 from moving the driveway quite a ways north. I  
6 am just thinking get all that kind of activity  
7 away from the residence because there would be  
8 more activity during construction and probably  
9 after construction where the driveway is, right.

10 So, I know the ditch may get -- the  
11 drainage may get deeper as you go north, I  
12 think, because I think it flows that way, but  
13 that could be worked around. I just think to  
14 give the folks of the residence all of the help  
15 we can as far as not bothering them, all that  
16 activity, because I am aware of some other solar  
17 where they were put in, and there is a lot of  
18 activity when you are putting them in. There  
19 really is. You can't help that, but if you  
20 could move that, get it away from the residence  
21 to me is a big deal.

22 MR. REUBEN GRANDON: Okay, yeah, we  
23 would be agreeable to something of a condition  
24 of approval that would allow us to work on

1 negotiating that with Ameren, and use our best  
2 efforts, or somebody like Bill could help with  
3 that, but we certainly don't want the project to  
4 hinge on that because we feel like we have done  
5 everything to code, to statute. We feel like  
6 these concessions tonight are voluntary and in  
7 excess of what's required. So, we certainly  
8 wouldn't want to get in a position where our  
9 approval hinges on that, but we would be very  
10 agreeable to doing something like we will do  
11 best efforts to relocate the driveway north on  
12 the subject property or something to that  
13 effect.

14 MR. CORZINE: I understand. I  
15 appreciate what you have done, but I think just  
16 kind of more of a good neighbor policy, you  
17 know, just to get that nuisance away from them,  
18 if you will.

19 MR. REUBEN GRANDON: Yes, yes. I am  
20 glad we are talking about it because part of the  
21 way I was thinking about it too is with that  
22 driveway there that could effectively create  
23 more of a buffer than what's shown here. Bear  
24 with me, it is a little bit of a gray area,

1 right, but I am just thinking of further on in  
2 the design process that would be a potential  
3 area where we could say okay, if we can, then we  
4 could kind of strike those panels that are south  
5 of the road right there. Like if you could bear  
6 with me and see that, see this line kind of  
7 here, this is just my thought process, I am just  
8 thinking if the driveway is there, then that  
9 might give us the ability later to kind of  
10 strike those panels from the design; but we are  
11 hesitant to commit to that right now because we  
12 are fairly site constrained, and we don't want  
13 to get ourselves into a bind or have less  
14 acreage than we need for the project that we  
15 have agreed to with Ameren.

16 So, I am trying to say yes, we want to be  
17 a good neighbor, we want to do the right thing  
18 by the neighbors, and we will certainly do our  
19 best to do that, but I hope that kind of  
20 conceptualizes a little bit of how we are  
21 thinking about it.

22 MR. CORZINE: If you could remove that  
23 row, that would be helpful too, I understand.  
24 So, if that's in the plan, but I hear what you

1 say. Thank you.

2 MR. REUBEN GRANDON: Yes. This is one  
3 step in the process and a very important step.  
4 Having a special use permit gives us the  
5 assurance to continue to invest in due  
6 diligence, and there is a lot that happens  
7 between now and the final site design. So,  
8 feedback like we have gotten on February 27th  
9 gives us things to think through, and how can we  
10 design that facility further, and refine it  
11 further to be the best neighbor that we could be  
12 while still maintaining the optionality that we  
13 want to be successful.

14 MR. CORZINE: Okay, thanks.

15 CHAIRPERSON ADCOCK: Could you  
16 elaborate what hours that you intend during the  
17 construction phase to make deliveries, et  
18 cetera?

19 MR. REUBEN GRANDON: That's a good  
20 question. I think you guys would be, the County  
21 would really be telling us what hours we are  
22 allowed to operate in, and we are allowed to  
23 have deliveries. Anything of that nature would  
24 be done as required either by Pana Township for

1 the road usage and also Christian County per the  
2 building permit. We would make sure that we  
3 strictly comply with any regulation that there  
4 is about anything regarding deliveries.

5 There was one thing I noticed I wanted to  
6 clarify. I noticed in our vegetation management  
7 plan that in the image we have in that plan we  
8 did not include that section that's in the very  
9 southeast corner where those panels have been  
10 removed. So, as the plan states -- so, this is  
11 a correction. I want to correct the record.

12 As our plan states we do not have the  
13 vegetation management in that section of the  
14 proposed facility on the subject property. So,  
15 that would be subject to further discussion with  
16 the property owner on how that particular piece  
17 of the property should be utilized.

18 So, we could go either way. We could say  
19 absolutely, we will incorporate that into our  
20 vegetation management plan, and treat it just  
21 like the other; or the landowner might have a  
22 different thought where they would rather see  
23 that property used differently, and we would be  
24 amenable to that as well. So, I just wanted to

1 clarify that.

2 CHAIRPERSON ADCOCK: Thank you.

3 MR. REUBEN GRANDON: My mistake.

4 CHAIRPERSON ADCOCK: In the  
5 decommissioning plan it says the landowner is  
6 unsure if there is drainage tile infrastructure  
7 on the subject property. Then it is stated  
8 other places that we don't believe. So, are we  
9 aware of there is drainage tile in this property  
10 or not?

11 MR. REUBEN GRANDON: We are not aware  
12 of any drainage tile on the property, and we  
13 have asked the landowner if they know of any,  
14 and they don't know of any going in or being  
15 present since they have owned the property,  
16 which I believe goes back more than 20 years. I  
17 believe they asked who has been farming the land  
18 if they know of any drainage tile as well, and  
19 they weren't sure of there being any present.  
20 So, I think we can get pretty confident to say  
21 that there hasn't been any put in in the last 20  
22 years at least, but we don't really know what  
23 could still be there from decades prior. So,  
24 you can never say with confidence if there is

1 not an old clay drainage tile or something like  
2 that that's in the field.

3 So, a standard practice for us is to make  
4 sure that we do an assessment, and again we rely  
5 on expertise in the field and actually someone  
6 out of Moweaqua is really good at this, but they  
7 will do an analysis on the field itself and  
8 identify any drainage tiles. Again that's part  
9 of the due diligence before we do the final  
10 design. If we can design just to completely  
11 avoid the tiles that are there, that's the best  
12 solution. If not, then we will put in a plan  
13 that makes sure any drainage tiles that are hit  
14 or could potentially be hit are repaired as soon  
15 as possible, as soon as reasonably practicable.  
16 And then to that effect as well there is  
17 Illinois drainage code, and that would certainly  
18 have teeth in terms of holding us accountable to  
19 making sure that any drainage tile is repaired  
20 promptly; and then there is also a section of  
21 agricultural impact mitigation agreement, and  
22 that's what we entered into with the Illinois  
23 Department of Agriculture just directly from the  
24 solar farm to the Department of Ag, and that has

1 a subsection that discusses drainage tile as  
2 well.

3 CHAIRPERSON ADCOCK: You said -- did  
4 you mean Moweaqua?

5 MR. REUBEN GRANDON: Yes.

6 CHAIRPERSON ADCOCK: So, who is the  
7 person, the expert in Moweaqua?

8 MR. REUBEN GRANDON: His first name is  
9 Quint, but I can't remember his full name, or he  
10 goes by Quint.

11 MR. BERNER: Craig Berner, do you know  
12 what he does to determine if there is or isn't  
13 tile?

14 MR. REUBEN GRANDON: Yes.

15 MR. BERNER: How does he go about doing  
16 that?

17 MR. REUBEN GRANDON: It is quite a  
18 process. At first when I started learning about  
19 it, I thought well, there must be technology and  
20 software that you could just run over the field  
21 and figure it out, but no, it is a hands-on task  
22 you need to -- first he does a big analysis to  
23 figure out where it could be, and what's been  
24 going on in the past. I think he is looking at

1 records like with the drainage district, talking  
2 to landowners that we are working with and ones  
3 nearby, and then from there it is actually  
4 touching the tile, and then running through it,  
5 and putting your physical hand on that tile  
6 throughout the field, so a little bit laborious  
7 process.

8 MR. BERNER: If someone says that they  
9 think there is tile in there, right, but if no  
10 one says anything about it, then you just  
11 proceed as planned?

12 MR. REUBEN GRANDON: Say that again,  
13 sorry.

14 MR. BERNER: So, if he does his due  
15 diligence and talks to landowners and stuff, and  
16 no one says that there is tile there, then he is  
17 done?

18 MR. REUBEN GRANDON: No, we would still  
19 have it surveyed. We would still go out and do  
20 a field assessment of the tile to see if he  
21 could locate any.

22 MR. BERNER: So, do you like trench  
23 around it to determine?

24 MR. REUBEN GRANDON: If there is field

1 tile discovered or if we think that there could  
2 be, then sometimes the most practical solution  
3 is just to reroute it around it rather than  
4 thinking about hitting it, thinking about  
5 repairing it. If you could just start when it  
6 is kind of a blank slate, and just diverge  
7 around it, create the pattern that you want from  
8 a design perspective, it could make the rest of  
9 your design pretty easy.

10 MS. HOWARD: How common is that hitting  
11 those tiles when you are installing the panels?  
12 Is that common?

13 MR. REUBEN GRANDON: It happens, yes.  
14 I would say it does happen. I think that there  
15 is a lot of work that goes into it ahead of time  
16 to make sure that you avoid it, but I think your  
17 work on the front end is just as important as  
18 your work on the back end. So, certainly you do  
19 everything you can to prevent it, but you also  
20 need a plan in place that if you do hit it, what  
21 are you going to do, and who is your local  
22 contact in that area to make sure it is done  
23 correctly. Not just from a general contractor,  
24 but who is the subcontractor that can help with

1 the expertise.

2 Circling back again it is the Illinois  
3 Drainage Code, and we certainly don't want to be  
4 in violation of that. So, we take it pretty  
5 seriously.

6 MR. BERNER: Going back to what you  
7 said earlier, when you drive the piling for the  
8 panels, you don't have really any way to know  
9 that you hit a tile?

10 MR. REUBEN GRANDON: Yes, that's very  
11 true. I think you are accurate. You may not  
12 know.

13 MR. BERNER: So, you need to do a very  
14 good job of assessing whether or not there is  
15 tile first, correct?

16 MR. REUBEN GRANDON: Yes. You may not  
17 know especially with an older tile, you may not  
18 know until it gets -- if we are constructing in  
19 August when it is bone dry, chances are you  
20 won't know, yes you are right, but you  
21 definitely will know when it rains again. So,  
22 still monitoring the facility, and making sure  
23 that you still have that plan in place to repair  
24 those tiles or reroute them accordingly.

1                   MR. BERNER: You would repair  
2 neighboring tiles because tile might stretch a  
3 whole mile.

4                   MR. REUBEN GRANDON: If we were held  
5 liable, or it turned out that we were  
6 accountable for damaging those, then I believe  
7 we would be on the hook for repairing those,  
8 yes. I haven't seen that play out but, and Bill  
9 might know more, but common sense tells me that  
10 certainly if it would be our fault, we would be  
11 responsible for it.

12                   Again here we are talking about the  
13 potential of tile that's at least more than 25  
14 years old, probably a lot longer. I think it  
15 has been in the family for several decades, and  
16 we asked about this very early on in our due  
17 diligence, and when we asked about it, there was  
18 no known drainage tile from the family, not just  
19 the landowner that we are talking about, but  
20 other family members too. That's our knowledge  
21 on it right now. More due diligence will be  
22 required though.

23                   CHAIRPERSON ADCOCK: Okay. Have you  
24 guys began working on the national pollution

1 discharge elimination system, or storm water  
2 pollution prevention plan, or any kind of other  
3 flooding or erosion analysis?

4 MR. REUBEN GRANDON: Analysis, no, and  
5 remind me, I can't remember what part of the  
6 ordinance that came up as.

7 CHAIRPERSON ADCOCK: That's in the  
8 Public Act 1123 or whatever the State Statute  
9 is.

10 MR. REUBEN GRANDON: At this point in  
11 the development cycle we haven't had any  
12 requirements that I am aware of to address that  
13 part of the State Statute, but that's certainly  
14 something that again will need to be addressed  
15 prior to the building permit. We are more  
16 familiar with our general contractor helping out  
17 with those after we have a siting approval or a  
18 zoning permit. Then at the building permit  
19 stage we do those types of things.

20 CHAIRPERSON ADCOCK: Okay. In the  
21 February meeting it was mentioned by your  
22 colleague that you had been working with a  
23 geo-engineering expert. So, is there some  
24 stability issues with the property?

1                   MR. REUBEN GRANDON: No, not  
2 necessarily. It is just for us another part of  
3 the due diligence is to have a geotechnical  
4 engineer go out, and what they do is they look  
5 at the soil structure of the property, and  
6 that's really important for us in terms of  
7 designing especially from a structural  
8 perspective. So, we are thinking about the soil  
9 type, and it might determine things like how  
10 deep does that post need to be underground, how  
11 far apart should they be spaced. So, it forms  
12 our final design for the facility, but that's a  
13 standard due diligence item; no concerns.

14                   CHAIRPERSON ADCOCK: So, you have no  
15 concerns of mind subsidence, et cetera?

16                   MR. REUBEN GRANDON: Not from the  
17 reports that we have seen so far. Again that's  
18 due diligence process that we will need to go  
19 through; and if our geotechnical engineer does  
20 come up with concerns, then we will need to be  
21 sure to address those under the regulations  
22 under Christian County and the State of Illinois  
23 at that time.

24                   CHAIRPERSON ADCOCK: So, thank you for

1 sending the property value assessment, but was  
2 that created specifically for Christian County?  
3 It mentioned a different project, and I think it  
4 was in the St. Louis area or something.

5 MR. REUBEN GRANDON: Yes, that property  
6 value study was more general in nature, although  
7 it does have some specific sites to Illinois  
8 included in it. So, it was not a specific study  
9 with regard to Christian County, but it was a  
10 very thorough appraisal study that was done by  
11 professional appraisers that demonstrates a  
12 solar facility does not have a significant  
13 impact, up or down, when it is located next to  
14 different properties. So, no significant impact  
15 on property values, and again that's something  
16 that's not required by the State Statute or by  
17 the County ordinance to have a property value  
18 study done, but given some of the comments that  
19 came up at the hearing in February we wanted to  
20 submit that into the record to address those  
21 concerns.

22 CHAIRPERSON ADCOCK: That is part of  
23 the checklist that Blake would have provided you  
24 last March. But as far as the assessment the

1 way I read it it did actually indicate that one  
2 of the groups, the studies, did find that it  
3 devalued the property 1.5 percent or something  
4 like that.

5 MR. REUBEN GRANDON: I am not familiar  
6 with that particular aspect of the study. I  
7 would need to look at that a little bit closer,  
8 but I think the overwhelming report concludes  
9 that in summary there is no or negligible  
10 impacts on property values from solar facilities  
11 of this size.

12 CHAIRPERSON ADCOCK: Then did you guys  
13 complete the economic impact study?

14 MR. REUBEN GRANDON: We haven't done a  
15 per se economic impact study on the proposed  
16 facility, but we do estimate that this facility  
17 will have about 40 different jobs created during  
18 construction, and the property taxes generated  
19 will be something like \$32,000.00 in the first  
20 year based on our forecast or our estimation,  
21 and that's total. So, that's across all  
22 jurisdictions, Lakeland, Pana Township, Pana  
23 roads, Pana Township roads I should say. Based  
24 on the millage rate for that particular taxing

1 jurisdiction is how that 32,000 would be divided  
2 up.

3 The project itself is something like a five  
4 million dollar project overall. So, it  
5 certainly does have community attributes, and it  
6 is in line with State statutes that are  
7 providing legislation and encouragement for  
8 solar projects such as these. So, we believe it  
9 does support the general health, safety, and  
10 welfare of the County; but no, in terms of the  
11 economic impact report we saw that in the  
12 checklist, but we didn't see any nexus between  
13 that checklist and the County ordinance or the  
14 State Statute. So, we did not feel that was  
15 required at this time.

16 CHAIRPERSON ADCOCK: In the meeting  
17 minutes from last, in February your colleague  
18 had indicated that it would be \$32,000.00 per  
19 year for 30 years, but that is specifically for  
20 the first year of the project?

21 MR. REUBEN GRANDON: Yes. I would say  
22 it would be for the first year of the project.

23 CHAIRPERSON ADCOCK: Then there will be  
24 depreciation upon that. So, that will decline

1 over the 30 years.

2 MR. REUBEN GRANDON: Most likely. I  
3 haven't seen the full financial model, but I  
4 believe it does decline based on depreciation  
5 over the lifetime of the facility.

6 Now, I wish we would have ran it out for  
7 the lifetime of the facility to see the total  
8 benefits of it over the full lifetime, but the  
9 property taxes are based on the Department of  
10 Revenue. They issued basically a statute in  
11 2018 that treats the solar facility as an asset  
12 class based on the number of megawatts, and then  
13 in 2018 there is a trending factor that's  
14 applied every year. So, we know that we will be  
15 responsible for the property taxes for the full  
16 leased area or the full leased land that we are  
17 using for the facility.

18 MR. CORZINE: I might interject now  
19 that your 32,000 that's in total. That's not a  
20 32,000 increase. You would have to take off  
21 what the land is generating now in the way of  
22 taxes, right?

23 MR. REUBEN GRANDON: That's a good  
24 question. I haven't had that one before. That

1       seems -- maybe Bill knows, but what you are  
2       saying I think makes sense that we would be  
3       transferred from the old tax to the new tax.

4               MR. CORZINE:   Correct.

5               MR. REUBEN GRANDON:   I think that makes  
6       sense, but I am not a hundred percent certain.

7               CHAIRPERSON ADCOCK:   I confirmed with  
8       the Assessor that 32,000 is gross.

9               MR. CORZINE:   Gross, okay.

10              CHAIRPERSON ADCOCK:   Have you had any  
11       discussions with the municipality regarding the  
12       project or any concerns they might have?

13              MR. REUBEN GRANDON:   Yes.   I have  
14       checked in with the City of Pana directly  
15       occasionally just to understand if they have any  
16       zoning authority that extends outside of the  
17       City limits, and the response that I have gotten  
18       has been that they don't have any zoning  
19       jurisdiction outside of the City limits.   I do  
20       understand that there is an ordinance that was  
21       passed by the City of Pana.   I think that was on  
22       April 8th, and we are still trying to understand  
23       what that ordinance really means; but for this  
24       application we were submitted back in September,

1       so we don't believe that that ordinance has any  
2       effect, but yes, certainly I have tried to have  
3       open lines of communication with the City of  
4       Pana, and understand any of their zoning  
5       requirements, and I am not aware of any.

6                   CHAIRPERSON ADCOCK:   So, more I guess  
7       of what I am concerned about is does the  
8       municipality -- it was in, I believe, the  
9       February meeting minutes that the watershed is  
10      to the south, which would be to Pana.   So, if  
11      there is any drainage concerns about overflow of  
12      water, or construction of roads, the sewer  
13      system, those are the types of assets that I am  
14      inquiring about.

15                   MR. REUBEN GRANDON:   Yes, I haven't had  
16      any of that brought to my attention that roads  
17      from the City of Pana, or sewer requirements, or  
18      anything of that nature, but I think it comes  
19      back to us working with the drainage district in  
20      terms of making the driveway, and the Pana  
21      Township in order to make the culvert and the  
22      driveway to their specifications.

23                   In terms of drainage itself I mean we are  
24      talking about a lot of the facility being just

1 steel posts for the predominant very vast  
2 majority. So, in terms of how that changes the  
3 drainage I don't think it will have a material  
4 impact. In addition we will have the vegetation  
5 management plan that's implemented alongside.  
6 So, a lot of that water and rain will be  
7 retained on the site before it even leaves the  
8 property boundaries.

9 And I think it is worth mentioning that  
10 there is no toxic or hazardous chemicals or  
11 materials in our panels or in our facility. So,  
12 in terms of having a negative impact outside of  
13 the perimeter fence there is no negative impact.

14 MS. HOWARD: In cases like these where  
15 the solar facility is not within the City limits  
16 what kind of impact does like the City Board  
17 have? Like do you present what you are going to  
18 do to the City Board?

19 MR. REUBEN GRANDON: That's a good  
20 question. So, early on in a project we really  
21 try to understand what the permitting looks like  
22 and if we have a path to permitting. Actually I  
23 think I mentioned earlier, but I reached out to  
24 Blake like way back in my notes showed me March

1 of 2023, so more than a year ago, and just tried  
2 to understand what is the lay of the land, who  
3 has jurisdiction, what's that process like, what  
4 are the fees, what are the time lines, things of  
5 that nature, and in my research only Christian  
6 County has jurisdiction. So, this site itself  
7 is permitted under the zoning chapter for  
8 Christian County, which has jurisdiction of all  
9 unincorporated areas of Christian County. This  
10 site is zoned AG-1, which solar is an allowed  
11 special use on AG-1, and then I read through the  
12 parameters for getting a land use permit from  
13 the County, and that's what brought us here  
14 today. So, at no point in time did the City of  
15 Pana have any jurisdiction, and that was the  
16 reason for kind of trying to keep in touch with  
17 them too and just understand if they had any  
18 jurisdiction.

19 MS. HOWARD: So, you haven't been to  
20 the Board in Pana yet? You haven't informed  
21 them yet?

22 MR. REUBEN GRANDON: Well, we haven't  
23 been to the Board simply because they don't have  
24 any jurisdiction.

1 MS. HOWARD: I just wondered as a  
2 safety measure.

3 MR. REUBEN GRANDON: No reason for us  
4 because they don't have any jurisdiction, but I  
5 have certainly been in touch with the zoning  
6 officer at the City of Pana, and he has my  
7 direct contact information, and we have an open  
8 line of communication; but for us we approach it  
9 as what are the requirements, and then we try to  
10 go through each of those requirements really  
11 diligently, but there is nothing in there that  
12 requires us to go to the City of Pana.

13 MS. HOWARD: So, is this typical where  
14 the solar farms are outside city limits then?

15 MR. REUBEN GRANDON: Yeah, outside of  
16 city limits. They can be on county land where  
17 there are permitting rules that allow them on  
18 the county land. So, this particular land is  
19 zoned AG-1 by the County, and it is Christian  
20 County that has jurisdiction for zoning.

21 MS. HOWARD: I understand that.

22 MR. REUBEN GRANDON: Okay. Thank you.

23 CHAIRPERSON ADCOCK: In the application  
24 you mentioned that you didn't anticipate stray

1 voltage or broadcast interference. How do you  
2 protect against having those two items?

3 MR. REUBEN GRANDON: That's a good  
4 question. Can you remind me what part of the  
5 application that was in?

6 CHAIRPERSON ADCOCK: It was one of your  
7 21 pages, in the narrative in burden of proof.

8 MR. REUBEN GRANDON: I think for us  
9 that's maybe not the most technical answer, but  
10 for me if we are adhering to all of the setback  
11 requirements, those that were passed at the  
12 Illinois Legislature in Springfield, and those  
13 passed in Christian County that implement those  
14 State Statutes, then if we are fulfilling all of  
15 the siting requirements, then there is no  
16 concern about negative impacts outside of the  
17 property or outside of the perimeter fence. We  
18 also do a series of regulatory items. One of  
19 those is the Federal Aviation Administration,  
20 and we submitted our project to them, and we got  
21 a determination of no hazard is what they call  
22 it. So, we essentially got the okay from the  
23 Federal Aviation Administration for the project.

24 CHAIRPERSON ADCOCK: That would have



1       then it is listed somewhere a couple pages after  
2       that about interference with cellular, and  
3       radio, and TV. So, I guess I would assume  
4       that's all broadcast. So, how do you ensure  
5       that there is no interference?

6               MR. REUBEN GRANDON: Yes, I think it  
7       might be nice to have a more engineer or  
8       technical answer, but my understanding of it is  
9       by building it all to specifications, and all to  
10      the local regulations, and State code, and  
11      especially the National Electric Code, then we  
12      are not going to have any interference with  
13      those cell towers or radio towers. I think the  
14      State Statute that was passed and the Christian  
15      County ordinance as long as we are adhering to  
16      those setback requirements, then those concerns  
17      as long as we are building to specification are  
18      completely alleviated.

19             CHAIRPERSON ADCOCK: Are there any  
20      other questions from the Board?

21             MR. BERNER: I have one. Can you just  
22      help me on the decommission, the estimated  
23      costs, can you just kind of help clarify? I  
24      mean you have got, you got like so many solar

1 modules, and it is \$3.00 a unit price. Is that  
2 the labor to remove those? I mean how does  
3 that, how do those costs come up?

4 MR. REUBEN GRANDON: Yes. So, this  
5 decommissioning and deconstruction plan was  
6 developed by a licensed professional engineer in  
7 the State of Illinois, and it is not something  
8 that our office deals with directly. We just  
9 subcontract that out.

10 MR. BERNER: Okay. Has there been any  
11 decommissioning of any of these sites to know  
12 for sure?

13 MR. REUBEN GRANDON: Not since I have  
14 been working in this industry. I couldn't say  
15 for sure, but I would say that this plan is  
16 accurate for this stage of the development, and  
17 it will need to be refined once we are actually  
18 thinking about the material lists for  
19 procurement, and have that whole design more  
20 refined. It will be updated, which will be part  
21 of the building permit process; but the  
22 decommissioning itself is not something I have  
23 seen. Once you do start construction, there is  
24 quite a bit of work that goes to getting all of

1 the funding organized, and crossing every T,  
2 dotting every I, and getting every signature  
3 from your investor, from your banker, you know,  
4 folks that have a very low risk of tolerance.

5 MR. BERNER: This seems like a very low  
6 number to remove all that you have put in.

7 MR. REUBEN GRANDON: Yeah, and there is  
8 a salvage value.

9 MR. BERNER: I mean after 30 years  
10 these solar modules are going to be worth what  
11 you have got on here. They are going to be  
12 worth something, you think?

13 MR. REUBEN GRANDON: After 30 years,  
14 yes, I mean they will still be producing power.  
15 They just won't be as efficient as they are  
16 today.

17 MR. BERNER: Okay. So, after 30  
18 years is there a chance that instead of  
19 decommissioning the whole project, that it gets  
20 renewed with new solar panels? I am sure you  
21 have never been there yet, I guess, but what's  
22 the outlook there?

23 MR. REUBEN GRANDON: I see what you are  
24 saying. Thirty years, I should still be around.

1 I hope so anyway. It is hard to say. You are  
2 asking a really good question, but we don't  
3 really know what that looks like, what's the  
4 appetite for solar at that time. We don't know  
5 for sure. If it is already in solar, does that  
6 make it a more attractive site to continue being  
7 in solar, common sense says probably; but I will  
8 say that we have an agreement through the  
9 Department of Agriculture that it is removed at  
10 the end of its useful life, which is in the  
11 AIMA, and it is put back into farmland or  
12 however the landowner wants to use that land.  
13 So, that is in concrete that it will be removed  
14 unless the landowner decides to do something  
15 differently, or the contract is renewed with  
16 Ameren, or something to that effect, but yeah,  
17 too early to say.

18 MR. BERNER: It says that the pilings  
19 will be cut off at a, possibly cut off at a  
20 certain depth. I mean do you have any idea what  
21 that depth would be?

22 MR. REUBEN GRANDON: Yeah, that's  
23 covered in the AIMA, in the Agricultural Impact  
24 Mitigation Agreement, and then there is a

1 contract they call it in the AIMA the underlying  
2 agreement with the landowner. So, it will be to  
3 specifications contained therein.

4 MR. BERNER: To whatever the spec is at  
5 the time?

6 MR. REUBEN GRANDON: Whatever was  
7 agreed to, yeah.

8 MR. BERNER: But you don't know what's  
9 been agreed to?

10 MR. REUBEN GRANDON: Off the top of my  
11 head I am not really sure to be honest, but  
12 ideally you can just pull them out. I think  
13 that's the ideal scenario.

14 MR. BERNER: That's what my question  
15 was.

16 MR. REUBEN GRANDON: With the same kind  
17 of attachment, right where --

18 MR. BERNER: Just pull them right out?

19 MR. REUBEN GRANDON: Right out, but  
20 then your question becomes if one is not coming  
21 out, how much earth do you disturb around it,  
22 how deep do you want to go to dig it out. So,  
23 those are things that are agreed to with the  
24 landowner and the AIMA, but off the top of my

1 head I don't know. Typically at least three  
2 feet, I have never seen us go lower than three  
3 feet. Five feet I think is more likely.

4 MS. HOWARD: I did see in the handout  
5 you gave us that it is non-toxic?

6 MR. REUBEN GRANDON: Yes.

7 MS. HOWARD: That's what it said?

8 MR. REUBEN GRANDON: Yes, that's  
9 correct. The solar panels themselves are  
10 non-toxic, and there is no hazardous materials  
11 or chemicals in those. So, it is essentially an  
12 aluminum frame. You guys have seen these. You  
13 guys know, but it is essentially aluminum frame,  
14 glass with wire smashed between it. On the east  
15 side of town and right by the city treatment  
16 plant there is some solar on the north side over  
17 there.

18 MS. HOWARD: Yes, I have seen them.

19 MR. REUBEN GRANDON: That is quite  
20 similar to that. Ours hopefully will tilt to  
21 the east and tilt to the west with the sun, but  
22 it is similar. The panel is very similar. No  
23 toxic materials at all, and in my opinion ground  
24 that's more or less laid foul for 30 or 40 years

1 and had a vegetation management plan implemented  
2 for that time should be really high quality soil  
3 at the end of the useful life.

4 MR. DORR: Where are the panels  
5 constructed at? Where are they made?

6 MR. REUBEN GRANDON: That's a good  
7 question. The industry is starting to pick up  
8 more in the U.S. So, we are trying to get more  
9 and more U.S. panels, but they are in Canada,  
10 Germany, and over in Southeast Asia.

11 MR. BERNER: Solar panels as of right  
12 now can just be taken to a landfill and got rid  
13 of?

14 MR. REUBEN GRANDON: I haven't  
15 participated in that process to take it to the  
16 landfill. I haven't decommissioned any, but for  
17 us right now they have a 25 year manufacturer's  
18 warranty on them, and our financial modeling we  
19 are thinking about what do we do at year 25,  
20 there is a chance that they will just stay on  
21 there because the cost of removing them and  
22 putting new ones on is going to be higher than  
23 those just producing at a lower output factor.  
24 So, they will still produce for many years, and

1       there should be a secondary market for them that  
2       people will grab them up. So, they shouldn't go  
3       into the landfill right away. They are pretty  
4       durable, you know.

5               We have had some folks in our projects that  
6       have not thought too fondly of a solar project,  
7       and used our solar project as a driving range,  
8       and we have seen them get hit with golf balls,  
9       and they put a little thumb print into the  
10      panel, but it still produced. It was just fine,  
11      passed the quality test, and didn't really cause  
12      any major concerns except for if he is going to  
13      keep doing it. So, they are durable. They are  
14      laminated. They are strong. They will last a  
15      long time.

16              CHAIRPERSON ADCOCK: Any additional  
17      questions from the Board at this time?

18              MR. CORZINE: A question I might have  
19      is if we offered some suggestions and you have  
20      talked about being flexible on a couple, when do  
21      we get the final, final plan?

22              MR. REUBEN GRANDON: Yes, so my goal  
23      tonight would be that you guys would approve  
24      this plan as we submitted tonight that has the

1 revised concessions, and within that framework  
2 we could work in good faith to be a good  
3 neighbor or something to that effect in order to  
4 make some of the proposed revisions. I think  
5 this plan goes above and beyond what's required  
6 of us, and shows our intentions to be a good  
7 neighbor, but the final plan in that cadence  
8 would be at the building permit stage.

9 MR. CORZINE: Okay.

10 MR. REUBEN GRANDON: Which would be  
11 subject to Christian County approval prior to  
12 starting any construction at all.

13 MR. CORZINE: Did we talk about a  
14 timeline?

15 MR. REUBEN GRANDON: Us for  
16 construction?

17 MR. CORZINE: Yes.

18 MR. REUBEN GRANDON: Yeah, we were  
19 trying -- we were hoping to get out there this  
20 summer still, but we might be getting a little  
21 tight for that. So, you start thinking about  
22 the fall after the harvest, or maybe we are out  
23 until spring of 2025 once it is a little bit  
24 past this time of year and maybe a little bit

1       dryer.  So, it is TBD, but ideally this summer  
2       we might be tight.  We are probably looking at  
3       either Q3 of this year or Q2 of next year.

4               CHAIRPERSON ADCOCK:  So, actually the  
5       documentation that we had with either the  
6       November meeting or the February meeting is  
7       showing that the interconnection in that road  
8       entrance is on the north side of the property.

9               MR. REUBEN GRANDON:  Yeah, you are  
10       talking about the ones that we submitted  
11       previously?

12              MS. ADCOCK:  Right.

13              MR. REUBEN GRANDON:  Yes, and then the  
14       one that has changed has that closer.

15              CHAIRPERSON ADCOCK:  Correct.

16              MR. REUBEN GRANDON:  The idea from my  
17       thought process with that is to allow us to  
18       alleviate --

19              CHAIRPERSON ADCOCK:  The row of panels.

20              MR. REUBEN GRANDON:  Yes.

21              CHAIRPERSON ADCOCK:  The  
22       interconnection then walk me through that what  
23       you have already approved with Ameren, at what  
24       point is the interconnection located?

1                   MR. REUBEN GRANDON: Yes, with Ameren  
2                   and the interconnection agreement it is  
3                   specified where we can tie into their grid, but  
4                   we did move that since the last meeting. So,  
5                   there is flexibility on that.

6                   CHAIRPERSON ADCOCK: So, there is  
7                   flexibility as long as you remain on this line?

8                   MR. REUBEN GRANDON: Yes, within  
9                   reason, and subject to Ameren's approval there  
10                  is.

11                  CHAIRPERSON ADCOCK: Okay. So, the  
12                  vegetative plan that you have shown us that  
13                  actually has not been approved by Ameren yet, is  
14                  that correct?

15                  MR. REUBEN GRANDON: The vegetative  
16                  plan?

17                  CHAIRPERSON ADCOCK: The graphic that  
18                  you showed with the vegetative plan with the  
19                  interconnection moved further south closer to  
20                  the property, that Ameren hasn't approved?

21                  MR. REUBEN GRANDON: That has been  
22                  approved, yes. Yes, so we made that adjustment  
23                  to the site plan between February 27th and this  
24                  hearing. To move it again or to adjust it again

1       it would be up to Ameren. I found them to be  
2       reasonable to work with. So, I am optimistic  
3       that we could do something. But the point maybe  
4       I would like to emphasize is just we are subject  
5       to third party approval on something like that.  
6       We can't say with an hundred percent confidence  
7       or certainty right now.

8               CHAIRPERSON ADCOCK: We will give you a  
9       break, and we will call Bonnie up to speak.

10              MR. REUBEN GRANDON: Thank you all. I  
11       appreciate all of the questions, and I hope we  
12       have done a good job of demonstrating that we  
13       are fully compliant with the code, and have made  
14       some concessions to be good neighbors, and we  
15       ask for your recommendation for approval. Thank  
16       you.

17              (Whereupon Ms. Bonnie Mizeur was duly  
18       sworn/affirmed on her oath.)

19              MS. BONNIE MIZEUR: I don't have a big  
20       fancy PowerPoint presentation because I don't do  
21       this for a living, but I am just trying to  
22       represent where I live. I do have some more  
23       signatures on my petition. May I submit them to  
24       you now?

1                   CHAIRPERSON ADCOCK:   Yes.

2                   MS. BONNIE MIZEUR:   I know when we were  
3                   here in February we tabled this, and you guys  
4                   wanted to hear from the City of Pana.   I think  
5                   that we can say I know Pana did pass an  
6                   ordinance.   I also have a copy of that if you  
7                   would like it, the actual ordinance they passed.  
8                   If anyone would like a copy to look at, I have  
9                   some more.

10                  MS. HOWARD:    I will take one.

11                  MS. BONNIE MIZEUR:   I have enough if  
12                  everybody wants one, I do believe.   That is the  
13                  actual ordinance that they passed April the 8th.  
14                  They are not trying to pass a band, but they  
15                  would like to have some control over their 1.5  
16                  mile buffer zone, as we have been referring to  
17                  it.   It affects Pana's ability to grow, expand,  
18                  and with these being 25 to 30 year lease that's  
19                  a very good possibility that this could become a  
20                  landlocked situation for the City of Pana.

21                  I also have some of these.   They are  
22                  LaSalle Sinclair factors, things that you can,  
23                  that have been used to argue these points  
24                  before.

1           Most importantly -- we basically kind of  
2 stipulate many of the factors here would be  
3 considered, but what I consider kind of  
4 important to me is that the proposed amendment  
5 benefit the needs of the community. And to me  
6 the needs of the community would be the City,  
7 the community of Pana. I do not see that  
8 project actually benefiting the City of Pana.  
9 The lessees, the money that they would receive  
10 would not stay in Pana or in Illinois. They  
11 don't live in the State of Illinois. The power  
12 that is collected and sent to the grid also will  
13 not stay in Christian County or central  
14 Illinois.

15           I had one other point. I don't remember.  
16 If I remember, I will come back to it.

17           Also Adrian brought up the geological  
18 study, which I have that as well. I will go  
19 with this one. This is a geological study, and  
20 this will pertain to mine subsidence in that  
21 area. I don't think I have enough of these for  
22 everyone. I thought I did. I may not have  
23 enough for everyone. Maybe I have more down  
24 here.

1           We also have a map. This is the location.  
2           You can see by the thing at the top it says  
3           solar location, the blue that shows down to  
4           where the solar field would be. The solar  
5           location is directly over old Pana Mine Number  
6           2. I have another map that will have the key.  
7           Now, this is the other map that we have. This  
8           basically has the key that shows what, the  
9           different things on that map. That map had to  
10          be enlarged because the original map is too  
11          small. You really cannot read it. As far as  
12          basically I am giving you this for the key.  
13          This is the same as the big map. I couldn't get  
14          it all on one page, and it is so small that you  
15          cannot really see well on the small map. That's  
16          why we did the enlarged one.

17                 I realize that the ordinance that Pana  
18                 passed will not necessarily apply to me because  
19                 the permit was applied for before that was  
20                 enacted. I understand that, but I also have  
21                 something here from the Illinois Municipal Code  
22                 that states -- your eyes are better than mine.

23                         CHAIRPERSON ADCOCK: The powers  
24                 enumerated may be exercised within the corporate

1 limits or within contiguous territory not more  
2 than one and one half miles beyond the corporate  
3 limits, and not included within a municipality.

4 MS. BONNIE MIZEUR: This property is  
5 within seven tenths of a mile of the City  
6 limits. We are well within the 1.5 mile buffer  
7 zone that they have been referring it to  
8 everything.

9 I don't really think that it would be of  
10 benefit to Pana. I originally started this  
11 because I was concerned about my own home and  
12 what I was going to be living by. Since I was  
13 at the meeting here in February I have been  
14 amazed at the number of people that have reached  
15 out to me because they also have concerns.  
16 Everyone here in this room except for the two  
17 rows here are here because they oppose this  
18 project. They don't want it around the  
19 perimeter of their City for different reasons.  
20 I am sure everybody has their own reason. But  
21 like I said when I started, it was all about me  
22 and my house; but the more I see the people that  
23 are concerned and the more that I have learned I  
24 just don't think that it is necessarily in our

1 best interest. And according to my LaSalle  
2 St. Clair factors it does not necessarily  
3 benefit Pana in any monetary, energy provision  
4 way that I can see.

5 I also was glad when Mr. Corzine brought up  
6 the interfacing module. I did not realize it  
7 would be that close to my house. I would like  
8 to have that moved as well if that is doable. I  
9 know they said everything is subject to third  
10 party approval as well because of the Ameren  
11 involvement, but that is something that I just  
12 really would not want to have that close to my  
13 home.

14 UNIDENTIFIED PERSON: Amen to that.

15 MS. BONNIE MIZEUR: I don't know if you  
16 guys have any questions for me. I don't have  
17 nearly the knowledge that Mr. Grandon does.

18 MR. DORR: I know at the last meeting  
19 that you submitted signatures against this. I  
20 think the count was 237.

21 MS. BONNIE MIZEUR: I have another 50  
22 some.

23 CHAIRPERSON ADCOCK: Fifty-three, so we  
24 are at 290.

1 MS. BONNIE MIZEUR: I kind of wish I  
2 had brought the mine subsidence thing with me  
3 last time. I did not realize that, and I should  
4 have thought about it because originally when  
5 Ameren was going to build their new plant over  
6 on Route 29, they talked to the landowners and  
7 us about buying that 40 acres including our  
8 property to put it there. They decided not to  
9 because of mine subsidence. Once we found that  
10 map, I was like I see why.

11 MS. HOWARD: I know mine subsidence is  
12 a factor, but in this project they are not going  
13 to go that far underground. What did he say,  
14 five feet at the most?

15 CHAIRPERSON ADCOCK: The thing that is  
16 interesting we just heard that application last  
17 summer that they moved the project east because  
18 of historic mine subsidence.

19 MR. DORR: The one over by Tovey they  
20 moved that south, didn't they?

21 CHAIRPERSON ADCOCK: Yes.

22 MS. DECLERCK: When you build a house,  
23 you don't go that deep either, and they have got  
24 a lot of mine subsidence.

1 MS. HOWARD: All around.

2 CHAIRPERSON ADCOCK: Did you have  
3 anything else to present?

4 MS. BONNIE MIZEUR: I don't think so,  
5 no, ma'am.

6 CHAIRPERSON ADCOCK: All right.  
7 Questions from the Board?

8 MR. DORR: Is there anybody from the  
9 City of Pana here?

10 MS. BONNIE MIZEUR: I don't believe so.  
11 I did speak with them as I stated at the  
12 February meeting, and at that point they had not  
13 spoken to anyone regarding this from Green Key.  
14 They did receive the certified letter from the  
15 Zoning Board informing them of the special use  
16 permit meeting, but they had not talked to  
17 anyone from Green Key because I went in and  
18 actually talked to the Mayor. They had not  
19 spoken to anyone from Green Key at that point.  
20 That was in February. Since then I do not know  
21 if they have communicated with them or not.

22 MR. DORR: This is just a copy, but it  
23 was passed?

24 MS. BONNIE MIZEUR: Yes, sir.

1 MS. HOWARD: What was that date?

2 MS. BONNIE MIZEUR: Which date, babe,  
3 the date the ordinance passed?

4 MS. HOWARD: Date of the ordinance.

5 MS. BONNIE MIZEUR: April 8th, solar  
6 eclipse day.

7 CHAIRPERSON ADCOCK: Have you reviewed  
8 the copy of the vegetative plan?

9 MS. BONNIE MIZEUR: I did, yes, ma'am.  
10 They did send me a copy of their revised plan,  
11 and I did receive it, and I did review it, and  
12 that is more acceptable to me. I mean it would  
13 be to anyone. You don't want to have to look at  
14 that. You don't want to have to have that  
15 around your home twenty-four seven.

16 I was not aware of the interfacing thing.  
17 I didn't really realize what that was, and I did  
18 see where it was there, and I agree with  
19 Mr. Corzine I would prefer that they move that  
20 if that is doable if this passes, I would prefer  
21 not to have it pass, but that's why I am here.

22 MR. CORZINE: Len Corzine. Would you  
23 envision if this passes, sitting down or having  
24 a meeting with the developers to try and get

1       those kind of things moved further away from  
2       your home?

3               MS. BONNIE MIZEUR:   Yes, of course.

4               MR. CORZINE:   Or maybe even include  
5       Ameren.  I don't know how that works, but I  
6       would think that -- I mean you have been across  
7       from Ameren for a long time.

8               MS. BONNIE MIZEUR:   We have.  We have  
9       lived there 22 years now, and Ameren has always  
10      been a good neighbor I must say.

11              MR. CORZINE:   Okay.  I guess another  
12      question I might have the LaSalle St. Clair  
13      factors that you have I have seen that before,  
14      but I am really not sure where it comes from or  
15      where it --

16              MS. BONNIE MIZEUR:   From what I  
17      understand LaSalle comes from the City of  
18      LaSalle.  It was a court case, the LaSalle Bank  
19      or something and a landowner had a piece of  
20      litigation before the court, and that was the  
21      factors that they used.  That's all I really  
22      know about it.

23              MR. CORZINE:   Okay.  So, this was  
24      approved by the courts up around LaSalle?

1 MS. BONNIE MIZEUR: Correct.

2 MR. DORR: Wasn't that also part of  
3 what the State said that the counties had to  
4 pass?

5 CHAIRPERSON ADCOCK: No, that part is  
6 just what the basis of all zoning is. So, it is  
7 two cases, LaSalle and Sinclair, that were  
8 litigated in the 70s.

9 MR. DORR: Didn't the County adopt  
10 certain things that were part of that?

11 CHAIRPERSON ADCOCK: I think that what  
12 that was is that the factors of consideration  
13 are still what we are supposed to make sure for  
14 a zoning perspective it adheres to.

15 MR. DORR: Okay.

16 CHAIRPERSON ADCOCK: So, I drove past  
17 the property after we had the, went from a  
18 drought to the four inches of rain, and the  
19 south end of the property it was actually quite  
20 wet.

21 MS. BONNIE MIZEUR: Yes. I actually  
22 took pictures to show if anyone wanted to see.  
23 There is quite a bit of run-off in that area.  
24 When it rains hard, it does do that. I mean I

1 have them on my phone if anybody would like to  
2 see them, but you saw them in person, didn't  
3 you.

4 CHAIRPERSON ADCOCK: Well, that was  
5 before. Then we got another three or four  
6 inches. So, where does that water then run  
7 because yes, the property does go south?

8 MS. BONNIE MIZEUR: Yes, it does, and  
9 the water will flow south. There is our  
10 property and the field, which technically not  
11 our property, and then there is another small  
12 field just south of us. It all runs into those  
13 ditches. There is a creek that runs right about  
14 through where -- it used to be FS. Now it is  
15 Christian County or Central Commodities. It is  
16 a little plant right there. There is a creek  
17 that runs right through there, and then it runs  
18 right in towards town.

19 CHAIRPERSON ADCOCK: So, the creek then  
20 goes through town?

21 MS. BONNIE MIZEUR: I am calling it  
22 creek. They are probably going to call it ditch  
23 because it is probably man-made.

24 CHAIRPERSON ADCOCK: Okay, and then to

1 Lake Pana?

2 MS. BONNIE MIZEUR: I would assume,  
3 yes. I mean it is all going to flow into Lake  
4 Pana at some point, yes.

5 I would also like to say because I just  
6 remembered this, speaking about the 1.5 mile and  
7 the Pana expanding or growing zone, I know that  
8 they are already looking -- the last City  
9 Council meeting that I was at the City of Pana  
10 is also looking to apply for a grant to build a  
11 silt collection pool on 400 North Road, which  
12 would actually be the corner of 400 and 2500  
13 East Road, which is technically one mile from my  
14 house. They have already now annexed that area  
15 into Pana. That is right about where Effingham  
16 Equity is if anybody knows things about Pana  
17 because Pana is now supplying Effingham Equity's  
18 water. They have already annexed that in, and  
19 that is that close to my house within one mile  
20 east, but the 400 road is just south of my  
21 house. So, they are already growing and  
22 expanding into that area. So, I just don't -- I  
23 know the 1.5 mile thing isn't supposed to apply  
24 to me, but I think it is important because I

1 don't want it to strangle Pana's ability to grow  
2 and improve, and they have a robust plan for  
3 economic development.

4 At the last City Council meeting that I was  
5 at they also brought that up. It was supposed  
6 to be available on line. I haven't read it yet,  
7 but there are a lot of things that they want to  
8 do. I can see that being an issue if we put  
9 these around the edges of town. The City of  
10 Pana is not saying they don't, necessarily don't  
11 want to have any solar power. They don't want  
12 it in their buffer zone, in their expansion  
13 zone, or whatever you want to call that. That  
14 is what their ordinance basically was about  
15 being able to grow wherever they need to go.

16 MR. CORZINE: So, do they have in this  
17 development plan, they call that I think  
18 comprehensive plan, do they have -- has Pana put  
19 one of those together?

20 MS. BONNIE MIZEUR: They have. In  
21 fact, Kirby Casner presented it that night. She  
22 had a name for it, and I don't believe I brought  
23 that with me, but they do have a new economic  
24 development plan.

1 MR. CORZINE: Okay, good, good.

2 CHAIRPERSON ADCOCK: Any additional  
3 questions? Thank you for your time.

4 MS. BONNIE MIZEUR: Thank you.

5 CHAIRPERSON ADCOCK: Next item up, is  
6 there anyone from the municipality of Pana, City  
7 Council, Mayor?

8 MS. GLENDA GARRETT: I am an alderman  
9 in the City of Pana. Obviously as a  
10 councilman --

11 CHAIRPERSON ADCOCK: Sorry, can you  
12 please come forward and be sworn in.

13 (Whereupon Ms. Glenda Garrett was duly  
14 sworn/affirmed on her oath.)

15 MS. GLENDA GARRETT: I obviously cannot  
16 speak for the entire City Council because I am  
17 only one alderman, but I do want to reaffirm  
18 that we have not received a lot of support for  
19 this. That we can tell. I have not had anybody  
20 reach out to me personally. I can only speak as  
21 myself personally, but I have not had anyone  
22 reach out to me. I don't recall that they have  
23 came and spoke to the City at all, and we do  
24 have some concerns that we would like to look

1       into. I understand maybe we should have known  
2       about this sooner. I personally did not know.  
3       So, I do want to say the citizens do not seem to  
4       be for this. We are not -- I don't say that we  
5       are against solar. It is the location and how  
6       close it is to the City. That's really all I  
7       wanted to say. Thank you.

8                   CHAIRPERSON ADCOCK: Okay. Then it is  
9       time for the applicant, you have opportunity to  
10      rebuttal and conclude.

11                   MR. REUBEN GRANDON: Thank you. Just  
12      first maybe a couple of housekeeping items that  
13      I probably should have submitted to the record  
14      ahead of time, but didn't.

15                   So, I just wanted to mention that the  
16      property owners are here in the room tonight in  
17      support of the facility, and the two owners  
18      submitted a letter to the County, and I just  
19      wanted to pass out a copy to make sure that  
20      everybody has one so that we can get it  
21      submitted into the record as well. Here is  
22      another batch. I apologize, I think I only  
23      printed five of these. If you don't mind  
24      sharing a little bit.

1           So, those letters are from Connie  
2           Knappmiller and Kathy Boren, who are seated here  
3           in the front row. In that letter they describe  
4           their pride of the land, how they want to be  
5           good stewards of the land, the reasons this  
6           commercial solar facility is a good fit, and  
7           ultimately that as long as we are within the  
8           confines of the law and the regulations that  
9           they should be able to exercise their private  
10          property rights. So, they ask for your approval  
11          as well.

12           I also wanted to just submit, you know, I  
13          did try to reach Steve and Bonnie Mizeur several  
14          times by phone to talk about some of the  
15          concessions that we made, and I was never able  
16          to get a response. I also submitted a letter by  
17          certified mail. So, I wanted to just submit  
18          this to the record that I tried to call one,  
19          two, three, four, five, six, seven, eight, nine,  
20          ten, eleven different times, two different  
21          numbers for Steve and Bonnie, and then I  
22          submitted this letter with the USPS tracking  
23          number. I sent it certified mail, and it showed  
24          that it was picked up April 12th, 2024. So, my

1 intentions were to talk about this, have open  
2 lines of communication, and work in good faith  
3 on adjusting the site plan, and doing the other  
4 concessions that were discussed earlier. In  
5 this letter I did summarize those, and we went  
6 through those earlier. So, I was hoping to  
7 reach them to actually have a conversation, but  
8 I hope that these concessions are satisfactory  
9 as well.

10 The topic came up earlier about the  
11 interconnection agreement with Ameren. This is  
12 signed and dated. This is just the signature  
13 page and the contact information. I just wanted  
14 to submit that to the record too for the  
15 interconnection agreement.

16 I mentioned earlier I reached out to  
17 neighbors that own adjacent properties. I have  
18 the list of neighbors that I mailed letters to,  
19 and an example of the contents of that letter,  
20 one of the templates is attached. So, I wanted  
21 to submit that to the record as well if I may.

22 We mentioned Federal Aviation  
23 Administration and the regulatory body in terms  
24 of no hazard, and I wanted to just submit that

1 finding to the record as well from the FAA for  
2 this particular facility.

3 I think that's it that I wanted to submit.  
4 So, thanks for bearing with me on that.

5 I think in general this site is well  
6 outside of the city limits of the City of Pana.  
7 We are applying for a special use permit that's  
8 under the zoning ordinance of Christian County,  
9 which regulates all unincorporated parts of the  
10 County. A solar facility is allowed by special  
11 use permit on land that's zoned AG-1 or  
12 industrial. This property is AG-1. It is  
13 unincorporated.

14 I just want to pause for a second. We are  
15 not asking for a subdivision. We are not under  
16 the Christian County subdivision regulations.  
17 We are under the zoning regulations by Christian  
18 County.

19 The City of Pana does not have any  
20 authority on zoning outside of City limits, and  
21 I will let Bill chime in more on that in a  
22 little bit to get into the legalese.

23 I do want to just for a second think about  
24 the site itself, you know. With regards to the

1 location it is directly across from an Ameren  
2 substation. Our site will be sandwiched between  
3 two high voltage transmission lines, one on the  
4 south side, one on the north side. I understand  
5 from the feedback that we have gotten that at  
6 least one neighbor is opposed to this project.  
7 I hope that the concessions that we have  
8 submitted alleviate those concerns, and  
9 demonstrate our intentions to be working in good  
10 faith, and ultimately to have a long term  
11 relationship with them as we expect the solar  
12 facility will be there for awhile. So, I hope  
13 those concessions that we made are the first  
14 step in that.

15 I think it is worth reiterating that any of  
16 the impacts from the solar facility will not be  
17 outside of the perimeter fence or outside of the  
18 property. So, solar is a really good neighbor.  
19 It is really quiet. They won't see it. There  
20 is no glare. There is no pollution. There is  
21 no dust stirred up from a harvest and planting  
22 cycle. There is very limited spraying of weeds.  
23 It is an absolutely good neighbor, and with the  
24 green screen they won't see it from their

1 property.

2 With regards to us reaching out to the City  
3 of Pana, again this is us doing our best to  
4 follow what regulations there are on the books.  
5 There is nothing in the Christian County  
6 ordinance that requires us to reach out directly  
7 to the City of Pana. Traditionally we rely on  
8 the County to do the notifications. My  
9 understanding is because they are within 1.5  
10 miles they would receive that notification. So,  
11 we have relied on that.

12 At the same time I mentioned earlier I have  
13 been in discussions with the zoning officer  
14 informally about solar projects especially with  
15 regard to zoning within the mile and a half. I  
16 have really kept a pretty good eye on any of the  
17 zoning ordinances that they might pass or  
18 anything of that nature because it is a very  
19 meaningful thing for our business. So, we are  
20 very vested into what happens at the City of  
21 Pana.

22 At the same time we are allowed to cross  
23 drainage districts. In the State Statute under  
24 subsection 55 ILCS 5/5-12020T it says that a

1 commercial solar energy facility like ours is  
2 allowed per State Statute to cross a drainage  
3 district. Again I want to work in good faith  
4 with that drainage district and the Pana  
5 Township Road Supervisor to make sure that our  
6 culverts are all to spec and everything of that  
7 nature.

8 Yes, interesting point about the LaSalle  
9 factors and the Sinclair factors. Our position  
10 is that by the very nature of the State  
11 Legislature passing these siting standards we  
12 are 100 percent in compliance with any of the  
13 LaSalle factors. If that weren't the case, we  
14 would anticipate that the State Statute and  
15 siting standards implemented by Christian County  
16 would be different. We have 100 percent  
17 complied with all of the State Statute  
18 requirements for siting. We have even backed up  
19 the facility a little bit based on feedback that  
20 we have received, and implemented a green  
21 screen. So, we are making this project smaller.  
22 We are making it more site constrained. We are  
23 constrained on land. We are taking that in  
24 order to be a good neighbor, and still have a

1       successful project.

2               I think its, the topic of the City of Pana  
3       is somewhat interesting because for one, we  
4       submitted our application ahead of the new  
5       ordinance that was referenced. That ordinance  
6       was not on the books at the time of our  
7       submittal for this application. As mentioned at  
8       the top of the meeting by the County, ordinances  
9       passed after our application should not be  
10      considered as part of this application. Even  
11      still we have done everything by the books to  
12      State Statute and to Christian County  
13      regulation. So, we know we have completely  
14      fulfilled those obligations.

15             I would also say that when you guys make  
16      your decision I just ask that you weigh the  
17      evidence in the record. I think we have done an  
18      excellent job of doing our research, doing our  
19      due diligence, and providing information that  
20      could be weighed as evidence to support our  
21      positions.

22             So, things of the nature of hypothetically  
23      expanding the City limits of Pana or something  
24      of that nature to me should not be considered

1       because the City of Pana does not have any  
2       jurisdiction here at all.

3               Then I would also say this type of project,  
4       and you guys are probably familiar with it, with  
5       solar provider group or with other companies  
6       that have come in like Cypress Creek doing one  
7       over by, or on the northeast side, this is a  
8       community solar project. So, anybody that has  
9       an Ameren electric meter could subscribe to the  
10      project to receive power from the facility. So,  
11      generally speaking almost as soon as the power  
12      is produced it is consumed. If it is not, then  
13      it does go back to the substation, but this is a  
14      distribution level project. So, all of the  
15      power will be consumed in the general geographic  
16      region. So, we are not shipping it or  
17      transporting it out to a different state. It is  
18      all meant to be locally consumed. Anybody in  
19      this room tonight could become a subscriber to  
20      that project. The industry term is called off  
21      taker, and there is often an economic incentive  
22      to subscribe to a project like a 5 percent  
23      discount on your electric bill or maybe 10  
24      percent, something of that nature.

1           The intention of this project is to  
2           generate electricity locally and consume it,  
3           which should decrease our reliance on outside  
4           sources of energy as well. I think that's all  
5           that I have.

6           MR. WILLIAM SHAY: Just one short item.  
7           This is to respond to Ms. Mizeur's, pardon me if  
8           I mispronounce it, quote from the Illinois  
9           Municipal Code about a city having zoning  
10          jurisdiction within a mile and a half of the  
11          city boundaries. If this County didn't have the  
12          zoning ordinance, then she would be right, and  
13          the City could exert zoning authority over  
14          property within a mile and a half. But what was  
15          omitted from what she quoted was follow on  
16          language in that very statute that removes that  
17          jurisdiction from the City because the County  
18          does have zoning ordinance, and specifically a  
19          solar ordinance, and I can read that. It is one  
20          sentence. No municipality shall exercise any  
21          power set forth in this Division 13 outside the  
22          corporate limits thereof if the County in which  
23          the municipality is situated has adopted quote,  
24          an act in relation to County zoning, end quote,

1 approved June 12th, 1935 as amended. The County  
2 zoning ordinance, particularly the solar  
3 ordinance qualifies as, under this sentence of  
4 the County having zoning authority, exercising  
5 zoning authority. That preempts the City's  
6 zoning authority outside the City limits.

7 So, while we haven't had a chance to  
8 thoroughly analyze from a legal standpoint the  
9 validity of the recent ordinance the City passed  
10 on April 8th, it appears to us initially that  
11 what it knows it can't do through the front  
12 door, it is trying to do through the back door,  
13 and it is of questionable validity even if it  
14 was applicable to this project, which it appears  
15 because of the timing of it it isn't in any  
16 event.

17 CHAIRPERSON ADCOCK: Are there any  
18 follow-up questions from the Board, please?

19 MR. CORZINE: I have a couple, Len  
20 Corzine. One, I think in the AIMA and maybe  
21 somewhere else in the code you are required to  
22 have a drainage plan, right, and it doesn't, I  
23 don't believe it requires that you work with the  
24 local drainage commissioners, but since there

1 is, it is a large drainage district that you are  
2 going to be operating in, I would assume that  
3 you would be working with them to come up with a  
4 plan.

5 MR. REUBEN GRANDON: Yes. I remember  
6 that. I think his name is Mike for the Pana  
7 Assumption --

8 MR. CORZINE: Mike Berner.

9 MR. REUBEN GRANDON: Mike Berner, okay,  
10 perfect. We have exchanged voicemails, but we  
11 haven't had a chance to fully connect on that  
12 yet. I would anticipate that that would be a  
13 requirement of the building permit itself, but  
14 we do have a draft drainage plan that I would  
15 like to give to you to show you.

16 MR. CORZINE: He would be the one that  
17 would really need it. We have property in the  
18 district, but Mike is the commissioner.

19 MR. REUBEN GRANDON: Our full intent is  
20 to be completely compliant with the regulations  
21 that are there. I would say having dialogue  
22 with the person responsible is the best way to  
23 get to that plan. I think having siting  
24 approval or a special use permit makes it a real

1 project to him too when you think about other  
2 things that are on this kind of topic are the  
3 Pana Township roads, or you want to have -- I  
4 talked to the emergency manager today, and we  
5 want to have them out to the site, and do an  
6 orientation, and standard operating procedures,  
7 and things of that nature. But doing that early  
8 is kind of hard because we haven't got in the  
9 siting permit yet. It becomes more of a  
10 tangible project when we are actually putting  
11 together the building permit.

12 MR. CORZINE: As you can see by your  
13 drawing on the drainage even if there isn't tile  
14 right here or very much, there could be other  
15 property owners going to have drainage that  
16 flows through there. I was wrong. I thought --  
17 the water does go south and not north. See what  
18 I mean.

19 MR. REUBEN GRANDON: I think it is a  
20 variation of like two feet of elevation or so.  
21 The kind of north central area is the highest,  
22 and then you are right, it does go to the south.

23 MR. CORZINE: You mentioned, and I  
24 would think that, and in your experience would

1 Ameren, would you be able to negotiate or work  
2 out a plan with them, and maybe include the  
3 Mizeurs to -- the interconnection thing could be  
4 a big deal, and where you have that entrance  
5 because even though once that is up and running  
6 and everything, in a year or whenever everything  
7 is set, there isn't going to be dust and that  
8 kind of thing, but there is going to be a lot  
9 during the construction. I have been by another  
10 area where they are putting them in, and it is  
11 kind of a mess. I mean you get a lot of, just a  
12 lot of stuff. If it is dry, you get dirt. If  
13 it is wet, you get mud. You are bringing a lot  
14 of material in, so a lot of trucks in. If you  
15 could move that away to get rid of the nuisance,  
16 and I would think -- Ameren has enough lines and  
17 stuff there I would think they would be, that  
18 would be negotiable with them.

19 MR. REUBEN GRANDON: Yeah, we would  
20 definitely work on that, yes. We would be happy  
21 to meet with Ameren and with the Mizeurs if they  
22 are interested in having a joint meeting, but  
23 certainly we would work with Ameren to see if we  
24 could get that moved to the north.

1           MR. CORZINE: Is your driveway  
2 dependent on where that interconnection site is?

3           MR. REUBEN GRANDON: Yes, ideally we  
4 like to have the driveway as close to the  
5 interconnection as possible.

6           MR. CORZINE: A question is if they  
7 still want it where it is still pretty close,  
8 you could have a construction driveway right  
9 where all of that stuff would be away from the  
10 residence, couldn't you?

11          MR. REUBEN GRANDON: Yes, you are  
12 thinking like where we are getting materials and  
13 kind of laying stuff down and things of that  
14 nature, yes.

15          MR. CORZINE: Because you are going to  
16 have a work trailer there, office, and you are  
17 going to have a lot of laborers. You are going  
18 to have a lot of poles you are putting into the  
19 ground, all of that. If you could get that away  
20 from them as much as possible.

21          MR. REUBEN GRANDON: Yeah, we would be  
22 agreeable to that. I could envision, and Ms.  
23 Barry probably knows best, but I could envision  
24 a condition of approval that says something to

1           that effect where we agree to work in good faith  
2           to move both the driveway and the  
3           interconnection equipment pad and the point of  
4           interconnection as far north as reasonably  
5           practicable. We are very agreeable to that,  
6           yes, absolutely. We can get Ameren, we can get  
7           in touch with them, and get those answers.

8                        So, we definitely want to do that, but  
9           where I have to be careful is over promising  
10          because I don't want to back us into a corner  
11          where we can't maneuver like that.

12                       MR. CORZINE: I understand, but Ameren  
13          they are a big company, but they are people too.

14                       MR. REUBEN GRANDON: Yes, and they have  
15          been actually fantastic to work with. We have a  
16          really good working relationship with them. So,  
17          yes, my request on that front would just be that  
18          we are able to work, continue to work on that.

19                       We would love to have the site plan  
20          approved as it is tonight given the concessions  
21          that we have made, but that we will continue to  
22          work in good faith to move that further north.  
23          That would be our request.

24                       CHAIRPERSON ADCOCK: On this

1 interconnection agreement that you submitted  
2 into evidence it is actually dated 12-5-2023 and  
3 12-6-2023. So, this is the original  
4 interconnection agreement or the amended  
5 interconnection agreement?

6 MR. REUBEN GRANDON: That's the  
7 original.

8 CHAIRPERSON ADCOCK: Okay. So, this is  
9 not the one that you have amended. What date  
10 was the amended one agreed upon?

11 MR. REUBEN GRANDON: I don't recall off  
12 the top of my head. I am not a hundred percent  
13 sure that there was an amended agreement. It  
14 might have just been correspondence through  
15 e-mail. I would have to check the records and  
16 look. It was originally in that kind of north  
17 central area, north of the two acre residence.  
18 And then we got the okay to put it down further  
19 south, but that often doesn't happen in the form  
20 of an amendment if it is a change like that  
21 until later down the road. I don't believe  
22 there is an amended one, but I am not a hundred  
23 percent sure.

24 CHAIRPERSON ADCOCK: I was trying to

1 find in February's meeting minutes, and I can't  
2 find the page, I have shuffled them somewhere.

3 MR. REUBEN GRANDON: I feel your pain.

4 CHAIRPERSON ADCOCK: Your colleague had  
5 actually indicated that the electricity, the off  
6 take hadn't -- we didn't have an off take  
7 because I had asked was Google buying it,  
8 Facebook. He said we had no off take. So, has  
9 that changed since February?

10 MR. REUBEN GRANDON: Maybe the  
11 confusion is that we don't work in that type of  
12 a program where we pre-sell the off take. So,  
13 we are not working with the third party  
14 subscriber like a Google, or a Facebook, or  
15 something like that. But this program in Ameren  
16 is quote, unquote, community solar project. So,  
17 the people that will receive the power are those  
18 with the Ameren utility meter, and that portion  
19 of the whole project has not been completed yet.  
20 That happens much later in the development cycle  
21 closer to the building permits or even a little  
22 bit later.

23 CHAIRPERSON ADCOCK: You have mentioned  
24 again about your weeds. So, can you walk me

1 through the noxious weed control then?

2 MR. REUBEN GRANDON: Yeah. What  
3 specifically are you talking about?

4 CHAIRPERSON ADCOCK: Well, you had said  
5 we don't use much chemicals. So, how do we  
6 prevent noxious weed?

7 MR. REUBEN GRANDON: In terms of  
8 chemical use there will be an application for  
9 spot spraying especially at the fence line. So,  
10 we try to minimize the amount of chemicals that  
11 we apply, but in the fence line we do typically  
12 apply it, but all of that will be hired by a  
13 third party subcontractor. Ideally we will find  
14 a local professional with the right applicator  
15 license and ability to sort of manage the site.  
16 So, that's not something that I personally have  
17 direct experience with, but we rely on the hired  
18 professional to implement the plan.

19 CHAIRPERSON ADCOCK: On your vegetative  
20 buffer what are the -- what's the maturity of  
21 the vegetation that you plant?

22 MR. REUBEN GRANDON: It would be -- I  
23 don't know off the top of my head what the  
24 maturity for the trees would be, but we do in

1       our blurb below that image right there, I  
2       believe we incorporated the newest language from  
3       the newest Christian County ordinance that was  
4       passed November 7th of 2023. So, we just  
5       thought let's do it to that code and that  
6       specification that way we are at least meeting  
7       your expectations on that buffer.

8                   CHAIRPERSON ADCOCK: Did you look at --  
9       to the south and the north there is a home that  
10      is north of the property, and then the City of  
11      Pana is to the south. Did you look at putting  
12      vegetative buffer in both of those areas as  
13      well?

14                   MR. REUBEN GRANDON: That didn't come  
15      up at the February hearing. So, no, we didn't  
16      look at adding a green screen to those areas.  
17      Again we are going to be kind of site  
18      constrained with some of the movements that we  
19      have done so far. So, adding another buffer  
20      would certainly make it more site constrained.

21                   CHAIRPERSON ADCOCK: Does the Board  
22      have additional questions? Last call for  
23      questions.

24                   I do want -- since the Mayor was not

1 present I would like for Assistant State's  
2 Attorney to read into the record the Pana  
3 municipal letter.

4 MS. MARY BARRY: The County Board  
5 received a letter from the Mayor, Nathan Pastor.  
6 It was addressed to Bryan Sharp, who is the  
7 County Board Chairman, and I believe the ZBA  
8 members have received a copy of this, and I am  
9 just going to read this into the record. Dear  
10 Mr. Sharp, at this time the City of Pana  
11 regarding the installation of a solar farm  
12 within our 1.5 mile boundary or any solar farm  
13 is taking the position of, taking the position  
14 of opposition to this project or any future  
15 projects which will land lock our community or  
16 otherwise cause distress to the citizens of our  
17 community. We strongly encourage the Christian  
18 County Zoning Board to vote against any such  
19 projects currently proposed or in the future.  
20 Most sincerely, Nathan Pastor, Mayor, City of  
21 Pana.

22 CHAIRPERSON ADCOCK: I believe, Mr.  
23 Shay, you received a copy of that as well?

24 MR. WILLIAM SHAY: Yes.

1                   CHAIRPERSON ADCOCK: Now, you already  
2 addressed comments. Do you have anything  
3 additional to add to that?

4                   MR. WILLIAM SHAY: No, thank you.

5                   CHAIRPERSON ADCOCK: I guess I do have  
6 another question based on this mine subsidence.  
7 Is that anything that you have run into that you  
8 would be constructing on top of -- I am actually  
9 not sure --

10                  MR. BLAKE TARR: Here is a larger.

11                  MR. REUBEN GRANDON: No, I am not  
12 familiar with the mine map that was presented  
13 into the record. I haven't done that level of  
14 due diligence, but certainly we will have the  
15 geotechnical engineer that goes out there, and I  
16 say it a little tongue in cheek, but there is a  
17 lot that can happen between a special use permit  
18 and a building permit. We have to do a lot more  
19 due diligence on the project, and we certainly  
20 need to adhere to any local, State, and federal  
21 regulations. So, if we discover that this is  
22 going to be an issue from a certain State  
23 department or a certain County department, then  
24 that could certainly jeopardize the project at

1 that point in time. But this siting approval or  
2 special use permit really gives us the assurance  
3 to continue to make those investments into the  
4 project, and we hope that nothing happens, but  
5 certainly we will be adhering to all of the  
6 rules and laws.

7 CHAIRPERSON ADCOCK: Anything else? If  
8 not, I will entertain a motion that we will  
9 close evidence.

10 MR. BERNER: I will make the motion.

11 CHAIRPERSON ADCOCK: Berner makes the  
12 motion. Do we have a second?

13 MR. GOODRICH: Glen Goodrich, a second.

14 MR. CORZINE: The motion is to?

15 CHAIRPERSON ADCOCK: Close the evidence  
16 section. All those in favor?

17 ZONING BOARD OF APPEALS MEMBERS: Aye.

18 CHAIRPERSON ADCOCK: Okay. I think we  
19 have been going here for awhile. I will also  
20 entertain a motion for a ten minute recess.

21 MR. CORZINE: Okay. You need a motion?

22 CHAIRPERSON ADCOCK: Yes.

23 MR. CORZINE: So move.

24 MR. BERNER: Second.

1                   CHAIRPERSON ADCOCK: All those in  
2 favor?

3                   ZONING BOARD OF APPEALS MEMBERS: Aye.

4                   CHAIRPERSON ADCOCK: We will have a ten  
5 minute recess, and reconvene at 8:30.

6                   (Whereupon the Zoning Board of Appeals  
7 meeting was in recess.)

8                   CHAIRPERSON ADCOCK: We are now moving  
9 into the deliberation section. So, I open this  
10 up for discussion. What are your thoughts?

11                   MS. HOWARD: As per that  
12 interconnection agreement I thought that the  
13 presenter said that they had a second agreement  
14 that was signed on February 27th.

15                   CHAIRPERSON ADCOCK: Yes, I also have  
16 that in my notes.

17                   MS. HOWARD: So, is that an official  
18 agreement because I am unclear on that?

19                   CHAIRPERSON ADCOCK: I think we need to  
20 ask for a full copy of the interconnection  
21 agreement. We would need to have a point of  
22 clarification. Okay. Anything else?

23                   MR. CORZINE: Well, while we are  
24 talking about the interconnection agreement I

1 know I mentioned it, and you get tired of me  
2 saying it maybe, but I would think that we can  
3 request or how we do that, if we would require,  
4 I would like it in there that there is -- the  
5 parties get together and work with Ameren, and  
6 get that interconnection moved as well as  
7 getting -- even if that doesn't happen, if we  
8 were to get the construction entrance further  
9 away from the residence. Because I have seen  
10 where they have been constructing others, and it  
11 is a big deal. It is a mess.

12 CHAIRPERSON ADCOCK: So, you are  
13 actually proposing that there be two entrances?

14 MR. CORZINE: If that's required.  
15 Unless they can move the interconnection  
16 agreement, the interconnection clear up there  
17 near the corner a ways away from the north.

18 MS. MARY BARRY: I think we discussed  
19 some language that we want to see them meet and  
20 make efforts with the landowner and Ameren to  
21 see if we can move that further away if it is  
22 feasible, or I think we would use even his  
23 language as reasonably practicable to move that  
24 up and also and/or have a construction driveway

1 further away. That would all be part of what we  
2 would want to have a condition there that they  
3 are going to make good faith efforts to do that.

4 MR. CORZINE: Good.

5 CHAIRPERSON ADCOCK: Okay. Well, then  
6 to kind of guide the discussion Blake had given  
7 everybody a factors of consideration, which is  
8 from 1-1-7 of our code where the County Board  
9 may approve a zoning application, if it finds  
10 evidence complies with State and federal law and  
11 regulations, and with the standards of this  
12 zoning code including factors listed below are  
13 applied as a balancing test, not individual  
14 requirements to be met.

15 So, point A, the establishment, maintenance  
16 or operation of the application will not be  
17 detrimental to or endanger the public health,  
18 safety, morals, comfort, or general welfare.  
19 So, from this factor do we believe the  
20 application has met the standard, or what items  
21 do we feel need more clarification?

22 MR. DORR: I personally don't believe  
23 they do because this says the County Board may  
24 approve. So, the County Board may not approve,

1 and one of the factors is comfort or general  
2 welfare. We have seen -- what was the final  
3 total, 290 people sign against this. We have  
4 had -- I know they pointed out that the  
5 ordinance that Pana passed is too little too  
6 late, but still they approved this, which shows  
7 that the City of Pana does not want this within  
8 the 1.5 miles of the City of Pana. A  
9 representative alderman stated that that is the  
10 feeling of the Board, and I know that we have  
11 been told that we have to do certain things with  
12 wind and solar, but at some point the County is  
13 going to have to make a stand, and this Board  
14 here provides information which we have got a  
15 lot of information tonight and in the past  
16 meetings, the revisions I commend you guys on,  
17 moving the entrance that's great if this should  
18 happen to go through, but personally I think it  
19 needs to be denied. The County Board has final  
20 approval, but tonight we only have four people  
21 voting on this, and I say no. So, if somebody  
22 makes a motion to approve it, I am voting no.

23 So, unless anybody else wants to talk, I  
24 want to make a motion to deny approval of this

1 special use on the basis of County Board may,  
2 which indicates to me may or may not, that it is  
3 not in the best interest of the community for  
4 general comfort, or comfort or general welfare.

5 MS. HOWARD: To me that may or may not  
6 is a given. You see what I am saying. That's  
7 written in there. So, I have always assumed we  
8 could deny.

9 MR. DORR: Well, not after the State  
10 forced every county except for Cook County to  
11 approve their new solar and wind farm rules.  
12 So, basically if you look at that, that pretty  
13 much takes all of the power out of the Zoning  
14 Board, and the County, and the State says what  
15 can be done.

16 MS. HOWARD: As of the four votes, when  
17 will we have more than four? That's my  
18 question.

19 MR. DORR: Well, right now if it does  
20 not get four votes tonight, then it  
21 automatically goes in as a denial from the ZBA,  
22 and then it is into the hands of the County  
23 Board to make their decision. So, it all goes  
24 to the County Board, which it always does

1           anyway.

2                       MS. HOWARD: I know. I know that.

3                       MS. MARY BARRY: I was just going to  
4           say on this particular application given the  
5           continued hearings on this given the  
6           requirements that you have to be at each hearing  
7           on this, you four are the only four that can  
8           ever vote on this application at the ZBA.

9                       MS. HOWARD: That was my point.

10                      MS. MARY BARRY: Yes.

11                      CHAIRPERSON ADCOCK: So, I think we  
12           need to go through these factors, or we at least  
13           need to have support for the County Board either  
14           way, what our concerns were, or what are  
15           conditions. So, I think that's what we really  
16           need to make sure --

17                      MR. DORR: My concern is it is not in  
18           the best welfare of the community. We have had  
19           a lot of opposition to this one. We have denied  
20           others because of community opposition, one in  
21           Pana already.

22                      MS. MARY BARRY: I would recommend that  
23           we go through all of the factors because --

24                      MR. DORR: That's fine.

1 MS. MARY BARRY: -- it is a balancing  
2 effect, and just the weighting of one versus  
3 another. I think the full discussion needs to  
4 be had.

5 CHAIRPERSON ADCOCK: I think from a  
6 safety perspective with this map on mines we  
7 definitely have to have geotechnical studies.

8 MR. BERNER: That was going to be my  
9 suggestion that we do something with that.

10 CHAIRPERSON ADCOCK: Safety road uses  
11 are required with all township and County  
12 officials. I believe plans approved by drainage  
13 district commissioner, the flow of water is a  
14 potential safety concern. Any other points to  
15 make along this item?

16 Item B, the application will not be  
17 injurious to the uses and enjoyment of other  
18 property in the immediate vicinity for the  
19 purposes already permitted, nor substantially  
20 diminish and impair the property values of  
21 surrounding properties.

22 MS. DECLERCK: They kind of set that up  
23 by putting enjoyment in there, I mean you know.

24 MR. CORZINE: I am sorry, Janet.

1 MS. DECLERCK: I said they kind of set  
2 that up by putting enjoyment in there. Right  
3 there that kind of sets that one off the sides.

4 CHAIRPERSON ADCOCK: I think first a  
5 full Alta survey has to be included.

6 MR. BERNER: It would be nice to see  
7 like your real estate valuations. On a lot of  
8 those maps that they have the properties that  
9 they have pulled out to show the value they are  
10 not really surrounded by solar. The solar is  
11 across the road, or there is already a buffer.  
12 I mean it would be nice to see some sort of  
13 valuation of something very similar to what this  
14 property owner has.

15 MS. HOWARD: From an existing project.

16 MR. BERNER: Yes, correct.

17 CHAIRPERSON ADCOCK: What they did  
18 submit into evidence did indicate several  
19 different studies, and one of the studies did  
20 indicate for rural areas there was a 1.5 percent  
21 decrease. Now, the submission indicated that  
22 they felt like it was a margin of error because  
23 there was limited number of states evaluated, I  
24 believe, but I think it still indicates that

1           there could be.  So, a specific analysis of  
2           Christian County would be interesting.

3                   MR. BERNER:  Or something very similar  
4           to the property.

5                   CHAIRPERSON ADCOCK:  Okay, C, the  
6           establishment of the application will not impede  
7           the normal and orderly development and  
8           improvement of the surrounding properties.

9                   MR. DORR:  Well, the City of Pana has  
10          plans for doing something north of Pana that  
11          would impede their development.

12                   MR. CORZINE:  I agree with what you  
13          said.  I think -- I am not an attorney, but I  
14          have checked up on this.  That is why the mile  
15          and a half buffer where the municipality has  
16          jurisdiction, why that has been in place, and  
17          that's the way I read it that was one of the  
18          things that was not removed by the State as far  
19          as that jurisdiction to allow, but I do think --

20                   MS. MARY BARRY:  The State Statute only  
21          covers counties.

22                   MR. CORZINE:  So, the municipality I  
23          would think would still be in place, their  
24          authority.

1 MS. MARY BARRY: I am not Pana's  
2 lawyer. I am not going to comment on their  
3 ordinance. I will comment so far as that  
4 particular ordinance would not apply to this  
5 application that was well within the process  
6 before we came here.

7 MR. CORZINE: True. I agree with that.  
8 I only state that because it does get into C as  
9 far as impede the development.

10 MS. MARY BARRY: We read into the  
11 record Pana's opinion.

12 CHAIRPERSON ADCOCK: Item D, adequate  
13 public utilities, access roads, drainage and/or  
14 necessary facilities have been or will be  
15 provided.

16 MS. HOWARD: A factor here is when the  
17 presenter mentioned that the power could be  
18 accessed locally. I think that changes the  
19 picture a bit.

20 MR. CORZINE: I guess I would say that  
21 I appreciate them, the willingness it looks like  
22 to look at not only the drainage work or the  
23 drainage commissioner but also, I guess I would  
24 include access roads, also access points on

1       those roads especially during construction.  
2       Entrance, field entrances I am talking about.

3               MS. MARY BARRY:   What do you mean?  I  
4       think you had already discussed under one of  
5       these road use agreements we would want to see  
6       with the townships, and with the counties, and  
7       we would want to see them working with the  
8       landowner and Ameren to move and potentially  
9       give a second driveway as reasonably practical.  
10      Does that cover what you are getting at?

11             MR. CORZINE:   Yes, Mary, thanks.

12             CHAIRPERSON ADCOCK:  I guess also under  
13      that is the final hydrology report, which  
14      includes flooding and erosion analysis, and the  
15      national pollutant discharge elimination system,  
16      and the storm water pollution prevention plan  
17      would all fall under that, and is all required  
18      by the State Statute.

19             MS. MARY BARRY:  If I might, I think  
20      perhaps under the enjoyment there was some  
21      discussion as part of the conversations with the  
22      landowners reasonable hours for construction and  
23      operation.

24             CHAIRPERSON ADCOCK:  Moving back to B,

1 reasonable hours of construction and delivery.

2 E, adequate measures have been or will be  
3 taken to provide ingress and egress so designed  
4 as to minimize traffic congestion in the public  
5 streets.

6 MS. HOWARD: I think we have covered  
7 that well.

8 CHAIRPERSON ADCOCK: Yes. I do think  
9 that when you look at 400, that is a very busy  
10 road, but that one we would defer to the  
11 township commissioners to address.

12 F, the application is not contrary to the  
13 objectives of the current comprehensive plan of  
14 the County, if any. We heard discussions that  
15 Pana had a plan, but we have not received  
16 anything for the record on this item for a  
17 specific comprehensive plan.

18 MR. CORZINE: Can we contact Pana, and  
19 see what kind of plan they do have, and if that  
20 would qualify as a comprehensive plan? That  
21 seems to be a key word.

22 MS. MARY BARRY: I mean we notified  
23 Pana of two hearings.

24 CHAIRPERSON ADCOCK: Blake specifically

1 called last week to speak with the mayor.

2 MS. MARY BARRY: I mean this is not the  
3 final arbitration of this issue. This will go  
4 from the ZBA to the County Board. They will  
5 have the final approval. If Pana chooses to  
6 come there, they can comment.

7 MR. CORZINE: I know their ordinance is  
8 too late. So, it doesn't have effect, but still  
9 this talks about a comprehensive plan. So, give  
10 us that.

11 MS. MARY BARRY: This tonight was the  
12 first I was hearing that there is a plan.

13 MR. JARRED RAHAR: And evidence closed.

14 MS. HOWARD: We haven't had much input  
15 from Pana council because he wrote the letter.  
16 As far as I know that's all the input that we  
17 have had.

18 MS. MARY BARRY: I just want to make  
19 one point of clarification when we are speaking  
20 as to this ordinance can't pop up and change  
21 things. We have changed parts of our zoning  
22 ordinances, and that's just -- that's going to  
23 happen throughout the life of this program. To  
24 make it clear, for instance, we have adopted new

1 building permit fees that I do think would be  
2 applicable to this application. I am not saying  
3 forever more we are locked into, we can never  
4 change our zoning code, but vis-à-vis that  
5 ordinance trying to shut down something that's  
6 in mid application, defeat it that way, we can't  
7 look at that.

8 MR. CORZINE: Got you.

9 CHAIRPERSON ADCOCK: Mr. Berner, you  
10 had brought up the decommissioning concerns  
11 earlier and wanting a review of those.

12 MS. MARY BARRY: Do we have the final  
13 AIMA, and that would be the decommissioning?  
14 Would that be part of that?

15 CHAIRPERSON ADCOCK: There is still a  
16 separate decommissioning plan that -- they have  
17 to present a finalized decommissioning plan  
18 before the special use permit. So, what is your  
19 concern about that?

20 MR. BERNER: It just seems really low  
21 to me, the dollar wise, the dollar amounts. We  
22 are talking about a five million dollar project,  
23 and they are going to, for \$34,000.00 they can  
24 decommission it.

1                   CHAIRPERSON ADCOCK:  So,  
2                   decommissioning and the review of the fees.

3                   MR. BERNER:  Is there a second opinion  
4                   we can get on that, or how does that work?  Can  
5                   we see a bigger breakdown of how they arrived by  
6                   those numbers?

7                   MS. MARY BARRY:  Are we suggesting that  
8                   we would want a finalized decommissioning plan  
9                   executed in connection with the building permit  
10                  process?

11                  CHAIRPERSON ADCOCK:  Correct.

12                  G, the application shall, in all other  
13                  respects, conform to the applicable regulations  
14                  of this ordinance and the zoning district in  
15                  which it is located except as such regulations  
16                  may, in each instance, be modified pursuant to  
17                  the recommendations of and approved by the  
18                  County Board.  Were there any other concerns or  
19                  open items that we needed to have documented in  
20                  this process?

21                  MR. DORR:  So, are we talking about  
22                  asking for all these changes, or are we going to  
23                  continue this even further?

24                  MS. MARY BARRY:  I think she is

1 suggesting these are considerations and  
2 conditions we would, you are going to put in  
3 your report to the County Board.

4 CHAIRPERSON ADCOCK: Blake has to fill  
5 a full report out.

6 MR. DORR: I just wanted to clarify  
7 that because there has been so many different  
8 suggestions, and ideas, and changes.

9 CHAIRPERSON ADCOCK: So, the next steps  
10 would be we either, we would have a vote, and  
11 then Blake will have to have a finalized report  
12 that he would present to the County Board, and  
13 then they would make their final determination.

14 MR. CORZINE: That would be at the  
15 County Board meeting?

16 CHAIRPERSON ADCOCK: In May.

17 MR. CORZINE: It is early May, right?

18 MS. MARY BARRY: It is the third  
19 Tuesday. So, I don't know how that works this  
20 month.

21 CHAIRPERSON ADCOCK: So, I guess at  
22 this point the question is is there anything  
23 else that needs to be documented in Blake's  
24 report?

1                   MR. JARRED RAHAR: Any further  
2                   questions about the procedure moving forward  
3                   because I think Mr. Dorr brings up a point,  
4                   there will be no further hearing. There will be  
5                   no further evidence.

6                   MS. HOWARD: Oh, darn.

7                   MR. JARRED RAHAR: There will be a  
8                   vote, and I think what Adrian, Miss Adcock is  
9                   indicating is that Mr. Tarr has got to present a  
10                  report to the Board, and part of that report  
11                  needs to be more than yes or no. I think it  
12                  needs to be yes why, no why.

13                  MR. DORR: Exactly.

14                  MR. JARRED RAHAR: I think that's  
15                  why --

16                  MR. DORR: To me the most important  
17                  point of that is the well being of the  
18                  community, the comfort and general welfare.  
19                  That's the top concern. That's why we have all  
20                  these people here. That's why we have had all  
21                  these people at every one of these hearings for  
22                  this particular project, and we have got to take  
23                  that into consideration, and to me that one  
24                  there trumps all these other things below that.

1 That's what I was trying to make in the very  
2 beginning.

3 CHAIRPERSON ADCOCK: I think also in  
4 the application this would be a two year special  
5 use permit, and would expire if the building  
6 permit had not been sought within that two year  
7 period.

8 MR. CORZINE: A question Adrian,  
9 normally I thought we were one year.

10 CHAIRPERSON ADCOCK: They applied  
11 before the one year.

12 MR. CORZINE: Oh, okay.

13 CHAIRPERSON ADCOCK: Any additional  
14 concerns from -- Mary, is there anything else  
15 that we need to consider?

16 MS. MARY BARRY: We talked about the  
17 SWCD, the vegetative screen. Did we talk about  
18 geo-engineering report, finalize it prior to the  
19 building permit?

20 CHAIRPERSON ADCOCK: We mentioned it as  
21 safety.

22 MS. MARY BARRY: Okay.

23 CHAIRPERSON ADCOCK: Yes. Okay, if  
24 there is no additional discussion, do we have a

1 motion for this project?

2 MR. DORR: I make a motion that we deny  
3 this special use application on the issues that  
4 have been brought up already. You want me to go  
5 over them, I will go over them again.

6 CHAIRPERSON ADCOCK: Is there a second  
7 to the motion?

8 MR. GOODRICH: Glen Goodrich, I will  
9 second it.

10 MS. MARY BARRY: Then just to repeat  
11 one more time, only four people are voting on  
12 this.

13 CHAIRPERSON ADCOCK: Right.

14 MS. MARY BARRY: Okay.

15 CHAIRPERSON ADCOCK: Roll-call vote,  
16 Blake.

17 MR. BLAKE TARR: Joann Howard.

18 MS. HOWARD: Yes.

19 MR. BLAKE TARR: Glen Goodrich?

20 MR. GOODRICH: Denied, no.

21 MR. BLAKE TARR: Joe Dorr.

22 MR. DORR: Are you denying the motion?

23 MS. MARY BARRY: I think we need a  
24 little clarification. The motion is to deny.

1 MR. GOODRICH: I want to deny.

2 MS. HOWARD: I want to say no. I don't  
3 want to deny it.

4 MS. MARY BARRY: You want to say no?

5 MS. HOWARD: I want to say no, sorry.

6 MR. DORR: You are going to vote yes to  
7 deny?

8 MR. GOODRICH: I want to vote yes to  
9 deny.

10 MR. DORR: Good.

11 MR. BLAKE TARR: Joe Dorr.

12 MR. DORR: I vote to deny it.

13 MR. BLAKE TARR: So, is that a yes or  
14 no vote, Joe?

15 CHAIRPERSON ADCOCK: The vote is yes.

16 MR. DORR: Yes.

17 MR. BLAKE TARR: All right, and lastly,  
18 Adrian Adcock.

19 CHAIRPERSON ADCOCK: No.

20 MR. BLAKE TARR: No, okay.

21 CHAIRPERSON ADCOCK: So, per this  
22 ordinance we do not have a quorum. So, this  
23 will move to the County Board as an  
24 impossibility for approval.

1 MS. MARY BARRY: Right, it would take  
2 four votes to move it out.

3 CHAIRPERSON ADCOCK: Correct.

4 MS. MARY BARRY: So, we don't have the  
5 required votes.

6 CHAIRPERSON ADCOCK: That's correct.  
7 It will be stamped denied.

8 MR. BLAKE TARR: Motion denied.

9 MR. CORZINE: Adrian, a question. So,  
10 the motion was to deny?

11 CHAIRPERSON ADCOCK: Correct. The  
12 project will be denied.

13 MR. CORZINE: You didn't get four votes  
14 to deny.

15 MS. MARY BARRY: If you don't have --  
16 the way the ordinance works --

17 MR. DORR: If it got motion to approve  
18 and only got three to approve, it still goes to  
19 the County Board either way.

20 MS. HOWARD: Yes, the County Board is  
21 going to --

22 MR. DORR: Unless it was a vote to  
23 approve with four unanimous votes to approve.

24 CHAIRPERSON ADCOCK: That's correct.

1 MS. MARY BARRY: That will go along  
2 with the report that has these conditions.

3 CHAIRPERSON ADCOCK: Okay. I thank  
4 everyone for your time, and I will entertain a  
5 motion to adjourn.

6 MR. DORR: I will make that motion to  
7 adjourn.

8 MS. HOWARD: I will second that motion.

9 MS. ADCOCK: All those in favor?

10 ZONING BOARD OF APPEALS MEMBERS: Aye.

11 CHAIRPERSON ADCOCK: Meeting adjourned.

12 (Which were all of the proceedings  
13 had on this meeting as of this  
14 date.)

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1 STATE OF ILLINOIS )  
 ) SS  
2 COUNTY OF CHRISTIAN )

3

4 I, Sandra K. Haines, a Notary Public and  
5 Certified Shorthand Reporter, do hereby certify  
6 that on April 30, 2024 the foregoing Zoning  
7 Board of Appeals was taken down stenographically  
8 by me and afterwards reduced to typewritten form  
9 by me, and that the foregoing transcript  
10 contains a true and accurate translation of all  
11 such shorthand notes.

12 Given under my hand and seal this 8th day  
13 of May, 2024 at Taylorville, Illinois.

14

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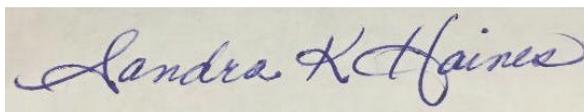
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