

In The Matter Of:
McLEAN COUNTY ZONING BOARD OF APPEALS

Case Number SU-18-11
June 5, 2018

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1 McLEAN COUNTY ZONING BOARD OF APPEALS
2 MEETING
3
4 Tuesday, June 5, 2018
5 7:00 p.m.
6
7 at
8 Government Center
9 115 East Washington Street
10 Bloomington, Illinois
11
12
13 Case Number SU-18-11
14
15 ZONING BOARD MEMBERS PRESENT:
16 Brian Bangert
17 Chris Carlton
18 James Finnigan - Chairman
19 Michael Kuritz
20 Julia Turner
21 Drake Zimmerman
22
23 Court Reporter:
24 Brenda Zeitler, CSR-RPR
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1 APPEARANCES:
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6 Bloomington, Illinois 61701-5005
7 (309) 888-5400
8 On Behalf of McLean County.
9
10 ALSO PRESENT:
11 PHILIP DICK, Director of Building & Zoning
12
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I N D E X

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1 **MR. DICK:** This is Case No. SU-18-11,
2 application of Heyworth Solar, LLC, by Geronimo Energy
3 for a special use to allow a solar power generating
4 facility in the agricultural district on property in
5 the southeast corner of Section 7, Township 21 North,
6 Range 1 East of the third principal meridian located
7 in Funks Grove Township immediately southwest of the
8 intersection of 50 North Road and 700 East Road.
9 Public notice of this hearing was published
10 in the Pantagraph on May 19, 2018, as provided by law.
11 All of the other required notifications have been
12 made, and the Applicant has paid the publication
13 costs.
14 I did mail out copies of this thick
15 application to you. But in front of you you'll see a
16 site plan. It's slightly modified because the one
17 that was in the original packet didn't show clearly
18 how far it was from the center line of the road; so
19 they provided us with an amended copy of the site
20 plan.
21 As the first Exhibit, I'll pass the Special
22 Use Application. That includes the legal description
23 of the property and the officers of the corporation.
24 As the first communication, I'll pass the

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1 land evaluation and site assessment and the LESA
2 score. In the one that I sent out, there is a mistake
3 in one of the numbers in the distance from shopping
4 centers. I gave it 5 points, and I should have given
5 it 10. So the LESA score is actually higher than what
6 is recorded here. I'll read that when I do the
7 report.
8 We have a communication from IDNR indicating
9 that there are no threatened or endangered species in
10 the area, and it includes their consultation, and a
11 plat map showing where this property is located in
12 Funks Grove Township. I won't pass the site plan.
13 It's the same one that you have in front of you.
14 And a zoning map indicating this property is
15 in the agriculture district. It's right at the south
16 edge of the county.
17 I'll show you some aerial photos of the
18 property at this time. As you can see, that's McLean
19 there, and that's County Highway 45 that is
20 immediately to the west. The property is outlined as
21 it is shown in that last photo. It won't be using the
22 south half of the property. There is a farm house
23 that is set aside that's outlined in green there.
24 This is the county highway facing north.

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1 And this is the house that's immediately -- that farm
 2 house set aside there. And this is just north of the
 3 tree line, the trees that are next to that house and
 4 the farm field. Then the solar farm facing to the
 5 north and west.
 6 Now we're at the other end of the property,
 7 facing south. The subject property is actually to the
 8 right. So we're at the interchange now of the County
 9 Highway and 50 North Road.
 10 This is 50 North Road facing east and 50
 11 North Road facing west. And there's a farm dwelling
 12 to the right there that is immediately north of the
 13 property. The subject property is to the left there,
 14 where the solar farm will be located.
 15 Then this is facing straight south for the
 16 middle of where the solar farm will be located. Those
 17 trees are surrounding that farm house set aside that's
 18 then to the south.
 19 I'll deliver the staff report at this time.
 20 It's got agriculture zoning on all sides of
 21 the property. The property to the north is crop
 22 production and a farm dwelling. To the south is also
 23 crop production and a single family dwelling. To the
 24 east, there's crop production and a single family

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1 dwelling. And to the west is crop production.
 2 The soil score was 94.9 out of 100. The
 3 site assessment was 172 out of 200. And the total
 4 score is then 266.9 out of 300. This is slightly
 5 different than what is in your report because I made a
 6 correction of 5 points in it.
 7 The LESA report indicates that a total score
 8 of 230 points and above means that the property is of
 9 high value for agricultural land protection.
 10 The standards of the zoning ordinance as
 11 they apply to this request is as follows:
 12 a.) The proposed special use will not be
 13 detrimental to or endanger the health, safety, morals,
 14 comfort, or welfare of the public. This standard is
 15 met.
 16 The Applicant proposes to establish a
 17 4-megawatt solar power generating facility on this
 18 property, which will meet all of the County setback
 19 requirements and use standards for a solar power
 20 generating facility.
 21 The application indicates that this facility
 22 will contain rows of photovoltaic cell panels mounted
 23 on posts set in the ground. These rows of panels will
 24 be mounted in one of two ways: on a fixed-tilt or on

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1 a linear axis tracking system, which allows them to
 2 follow the sun throughout the day. After site
 3 specifics and design components are more fully
 4 developed for this solar farm, the Applicant will
 5 determine which system is more appropriate.
 6 The solar panels will be constructed of
 7 dark, light-absorbing materials, will be designed with
 8 an anti-reflective coating, and will be a maximum of
 9 15 feet in height.
 10 The Applicant proposes to build one weather
 11 station that is 20 feet in height. They may not
 12 decide to build that. After I finished writing the
 13 report, the Applicant indicated they aren't likely to
 14 build that weather station.
 15 The Applicant submitted a communication from
 16 IDNR which states that the Illinois Natural Heritage
 17 Database contains no record of State-listed threatened
 18 or endangered species, Illinois Natural Area Inventory
 19 sites, dedicated Illinois Nature Preserves, or
 20 registered Land and Water Reserves in the vicinity of
 21 the project and that the consultation is terminated.
 22 The decommissioning plan submitted with the
 23 application needs to include financial assurance. The
 24 Applicant will need to submit a decommissioning plan

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1 certifying proposed decommissioning costs. This plan
 2 will need to provide financial assurance to the County
 3 after year 12 of operation of the facility that the
 4 site will be properly reclaimed. This financial
 5 assurance should be similar to what is required of
 6 wind farms in the Agricultural Impact Mitigation
 7 Agreement that wind farms have with the Illinois
 8 Department of Agriculture.
 9 A contact person for the Applicant will need
 10 to be kept on file with the Department of Building and
 11 Zoning for issues and complaints.
 12 There has been no communication submitted
 13 from the Illinois Historical Preservation Agency.
 14 b.) The proposed special use will not be
 15 injurious to the use and enjoyment of other property
 16 in the vicinity for purposes already permitted or
 17 substantially diminish property values in the
 18 immediate area. This standard is met.
 19 Nearby property that is currently in crop
 20 production will continue to be desirable for such use.
 21 Ground cover that encourages pollination recommended
 22 by the McLean County Soil and Water Conservation
 23 District will need to be installed. The solar arrays
 24 will be designed with an anti-reflective coating.

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1 c.) The proposed special use will not
 2 impede the orderly development of the surrounding
 3 property for uses permitted in the district. This
 4 standard is met.
 5 Nearby property that is currently in crop
 6 production or used as residences will continue to be
 7 desirable for such uses.
 8 d.) Adequate utilities, access roads,
 9 drainage and other necessary facilities have been or
 10 will be provided. This standard is met.
 11 The property has approximately 1,300 feet of
 12 frontage on the south side of 50 North Road and
 13 approximately 1,920 feet of frontage on the west side
 14 of 700 East Road. The Mount Hope-Funks Grove Fire
 15 Protection District will provide fire protection for
 16 the property.
 17 Predevelopment drainage patterns will be
 18 retained as much as possible. The Applicant will
 19 provide certified plans for storm water detention and
 20 retention before a permit is issued for the proposed
 21 solar power generating facility. The Applicant will
 22 need to have all field tile damaged in the
 23 construction process repaired by a competent
 24 contractor, with experience in such repair, during the

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1 life of the solar farm.
 2 e.) Adequate measures have been or will be
 3 taken to provide ingress and egress so designed as to
 4 minimize traffic congestion in the public streets.
 5 And this standard is met.
 6 It appears that safe site distance can be
 7 provided at the proposed entrance. The Applicant will
 8 need to obtain an entrance permit from the Funks Grove
 9 Township Road Commissioner.
 10 f.) The establishment, maintenance, and
 11 operation of the special use will be in conformance
 12 with the intent of the district in which it is
 13 located. This standard is met.
 14 The preamble states, "Provide for the
 15 location and govern the establishment and operation of
 16 land uses which are compatible with agriculture and
 17 are such a nature that their location away from
 18 residential, commercial, and industrial areas is most
 19 desirable."
 20 g.) The proposed special use in all other
 21 respects conforms to the applicable regulations of the
 22 district in which it is located. This standard is
 23 met.
 24 According to the Zoning Ordinance, "The Land

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1 Evaluation and Site Assessment System has been
 2 designed to provide a rational process for assisting
 3 local officials in making farmland conversion
 4 decisions through the zoning process."
 5 Although this property has a high LESA
 6 score, the Applicant indicates that native grasses
 7 will be grown and maintained on the site and will
 8 provide forage for pollinators. After the subject
 9 property is returned to its original conditions, as
 10 required by the Zoning Ordinance, the land can be
 11 returned to crop production.
 12 It was reported that up to 35% of corn grown
 13 in McLean County is used to make ethanol to be mixed
 14 with gasoline and used for fuel. Harvesting the sun
 15 to produce electricity in the agriculture district
 16 with solar farms is similar and another way to produce
 17 significant value from farmland in addition to
 18 producing corn and soybean crops.
 19 In conclusion, staff recommends that this
 20 application meets the standards set forth in the
 21 Zoning Ordinance provided the following stipulations:
 22 1.) An entrance permit is obtained from the
 23 Funks Grove Township Road Commissioner.
 24 2.) The Applicant needs to provide

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1 certified plans for storm water detention and
 2 retention before a permit is issued for the proposed
 3 solar power generating facility.
 4 3.) The solar panel will be installed with
 5 an anti-reflective coating.
 6 4.) Ground cover that encourages
 7 pollination that is recommended by the McLean County
 8 Soil and Water Conservation District needs to be
 9 installed.
 10 5.) The Applicant needs to submit a
 11 decommissioning plan certifying proposed
 12 decommissioning costs that provide financial assurance
 13 to the County after year 12 of the operation of the
 14 facility. This financial assurance needs to be
 15 similar to what is required of wind farms in the Ag
 16 Impact Mitigation Agreement that wind farms have with
 17 the Illinois Department of Agriculture.
 18 6.) A contact person for the Applicant will
 19 need to be kept on file with the Department of
 20 Building and Zoning for issues and complaints.
 21 7.) The Applicant shall have all field tile
 22 damaged in the construction process repaired by a
 23 competent contractor with experience in such repair
 24 during the life of the solar farm.

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1 8.) The Applicant needs to complete
 2 consultation with the Illinois Historical Preservation
 3 Agency before construction can begin.
 4 9.) Development shall follow the plans and
 5 documents submitted with the application and with
 6 zoning regulations including Article VI Section
 7 350-43, which is the standards for a solar power
 8 generating facility.
 9 That concludes my report.
 10 **CHAIRMAN FINNIGAN:** Will you both be having
 11 testimony? Would you like to be sworn in or affirmed.
 12 (Marta Jensen and Amber Miller sworn.)
 13 **CHAIRMAN FINNIGAN:** State your name and
 14 address, please.
 15 **MS. JENSEN:** Marta Jensen, 379 Stryker
 16 Avenue, St. Paul, Minnesota, 55107.
 17 **MR. DICK:** Could you spell Stryker, please?
 18 **MS. JENSEN:** S-t-r-y-k-e-r.
 19 **MR. DICK:** Did you say St. Paul?
 20 **MS. JENSEN:** Yes.
 21 **MS. MILLER:** Amber Miller, 1225 Brentwood
 22 Place, Joliet, Illinois, 60435.
 23 **MR. DICK:** What was the zip again?
 24 **MS. MILLER:** 60435.

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1 Mr. DICK: Ms. Jensen, could you tell me
 2 your zip too, please?
 3 **MS. JENSEN:** 55107.
 4 **CHAIRMAN FINNIGAN:** Would you like to make
 5 an opening statement.
 6 **MS. MILLER:** Yes, please. We have a brief
 7 presentation. Thank you very much.
 8 To start off, we will make this brief. We
 9 understand that your time is valuable, and we
 10 appreciate you allowing us to make a brief
 11 presentation. We know this is not your first solar
 12 project; so we'll try not to go over a lot of
 13 repetitive items that you've seen before but sort of
 14 give you a brief overview of our solar project.
 15 Who we are is Geronimo Energy. We are a
 16 utility scale renewable energy developer. We have
 17 approximately 1,800 megawatts of wind and solar
 18 projects. We are located in Edina, Minnesota, with
 19 satellite offices in Illinois, North Dakota, South
 20 Dakota, Colorado, New York, and Michigan. We have 140
 21 megawatts -- 150 megawatts currently of community
 22 solar under way in production or already up and
 23 running.
 24 We're just going to go over a couple of

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1 things on the community solar projects: the
 2 equipment, the construction, and then the specifics of
 3 this particular project, Heyworth Solar.
 4 The community solar projects that we develop
 5 all pretty much consist of the same type of projects.
 6 They have the inverters. You can see the inverter in
 7 the middle of the site. That's what converts the
 8 power before it ties into the grid.
 9 The modules and panels, the racking, the
 10 access roads, the security fencing, the storm water,
 11 and then the operations and maintenance sheds, where
 12 necessary. All of our projects pretty much contain
 13 all of these same items.
 14 There are two types of solar panels that we
 15 would look at using, the thin film or the
 16 polycrystalline. These are made to absorb light.
 17 They are not reflective. They are about as reflective
 18 as soil. That's what I have been told. I was trying
 19 to get an idea of what the percentage, and that's
 20 about 2% reflective, a maximum of 2% reflective.
 21 We have two different types of systems that
 22 we would look at, either a fixed-tilt or a tracking.
 23 Those are the two different types of -- and that would
 24 be determined as we get further in designing and

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1 engineering and construction for the site, developing
 2 the plans. The fixed tilt is just that. It sits
 3 facing south. The tracking tracks the sun throughout
 4 the day.
 5 The inverter is where the power is converted
 6 from DC from the modules to AC. So the panels would
 7 be strung together. Then the electrical would be run
 8 underground to the inverter and then, from the
 9 inverter, underground to the point of connection where
 10 it ties into the utility grid. So this is -- and
 11 that's what this shows.
 12 This is where you trench to run the power
 13 underground where it would be tied into the inverter
 14 or where it would be run underground to tie into the
 15 point of interconnection.
 16 There is no heavy equipment that is really
 17 involved in this process. What you see there is
 18 pretty much the amount of heavy equipment that is
 19 utilized. It's all pretty small equipment. There's
 20 not a lot of compaction or grading that we do on our
 21 sites.
 22 We prefer a nice flat site. No wetlands.
 23 No floodplain. And then there's not a lot of grading.
 24 None of that kind of thing. We like to use the land

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1 as it pretty much is.
 2 The pile installation, that's the machine we
 3 use for that. The piles are generally driven into the
 4 ground depending on the soil conditions, which will be
 5 determined as we move forward with the engineering.
 6 Typically, 12 to 16 feet into the ground is the
 7 typical.
 8 The racks are about 40 feet long for the
 9 solar panels. These are evenly spaced. For the
 10 racks, the rows, there's about 15 to 18 feet between
 11 the rows of the solar panels.
 12 That's what the fixed facility racking
 13 system looks like under installation.
 14 The module delivery, everything will be
 15 staged -- the construction will be staged on site so
 16 that any laydown of equipment will all be on site.
 17 There won't be any disruption for the roads or
 18 anything. Everything will be done on site.
 19 Obviously during the construction, there
 20 will be more truck traffic; but once again, there
 21 won't be a lot of heavy equipment. This is -- the
 22 module delivery will be the largest trucks that you'll
 23 see on the site.
 24 You've probably seen all of these kind of

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1 things before, the installation of the solar panels.
 2 One of the things that is some concern is
 3 the vegetation and the restoration. We have the
 4 low-growing native grasses that are planted underneath
 5 and between all the rows. We've worked specifically
 6 to develop different planting and seed mixes for the
 7 different zones in Illinois for the native grasses.
 8 Those will be low growing because anything that gets
 9 very high starts to shade the panels; so we keep that
 10 very low.
 11 On the exterior, you'll see a pollinator mix
 12 that is a little bit higher. And then if any
 13 screening would be required, that would be a cardinal
 14 dogwood type plant.
 15 Then these are the modules that I was
 16 talking about and the specifications for those. They
 17 are about -- at their highest point, at their tallest
 18 point, they are about 12 to 15 feet tall. When they
 19 are tilted, they are 12. When they are straight up
 20 and down, they are about 15.
 21 We did supply you with a vegetation
 22 maintenance plan that talks about how we plan to
 23 maintain. When the planting is first done, there's
 24 much more high maintenance to make sure we don't have

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1 any invasive species. We keep all of that out. We
 2 work with, obviously, Soil and Water to make sure that
 3 we keep everything under control. We want this to be
 4 a beautiful part of the community. We don't want this
 5 to be something that looks unattractive. We want it
 6 to be aesthetically pleasing. So our seed mix is very
 7 important to us.
 8 This is just to give you an idea what this
 9 looks like. This is a very similar type road. This
 10 was in Canada. This is larger. This is an 80-acre
 11 solar farm. But across the street is a 25-acre solar
 12 farm. So this is very similar to what we're proposing
 13 in this location, just to give you an idea of what it
 14 would look like from the intersection.
 15 Heyworth Solar, this is approximately 38
 16 acres. The overall site is about 77 acres. We would
 17 propose to use about 38 acres of that site.
 18 Approximately 4 megawatts of energy. The targeted
 19 construction would be spring of 2019.
 20 It is located in the agricultural district,
 21 and we did design our project for compliance with the
 22 existing special use permit of McLean County's
 23 Unifying Development Code.
 24 We have looked at the staff report. And as

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1 far as -- we have no concerns about the requests for
 2 any of the conditions.
 3 For the decommissioning plan, we do
 4 typically provide a detailed -- once we start entering
 5 into preparing construction drawings and a
 6 decommissioning plan, we have a decommissioning clause
 7 in our lease with our property owner to restore the
 8 property so that no equipment is left on the property.
 9 One thing I will say is that you have to
 10 understand that these projects are salvageable; so
 11 there's a lot of money on that site. It would not --
 12 it would be behoove us to salvage the equipment if the
 13 project is no longer viable or has reached its
 14 expected life. It behooves us to salvage the steel
 15 and aluminum and panels.
 16 At the end of 20 years, the panels still are
 17 90% effective. While that may not be as high as what
 18 we would like to see for a commercial solar farm, that
 19 is certainly significantly functional for reuse in
 20 perhaps a residential or personal use and can be
 21 continue to be utilized.
 22 With the drain tile, we typically work with
 23 the property owner to conduct a drain tile survey at
 24 the beginning of the project so that we know where the

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1 drain tile is so we don't accidentally happen upon
 2 those. We prefer to avoid them as opposed to repair
 3 them. It's cheaper that way. So we do try to avoid
 4 those where we can. And, of course, should we run
 5 into any or damage any in any type of construction, we
 6 do repair and replace those as needed.
 7 This is the site layout. You can see the
 8 exterior. The yellow is the pollinator mix that I
 9 discussed. It's about 8.8 acres of pollinator mix.
 10 And about 28 acres of the low-growing mix goes under
 11 the arrays.
 12 There is the access road that we had
 13 discussed. We would need to get a permit from the
 14 Township Road Commissioner.
 15 Then I think that pretty much wraps up our
 16 presentation. We would obviously stand for any
 17 questions you have at this time.
 18 **CHAIRMAN FINNIGAN:** Questions from the
 19 Board?
 20 **MS. TURNER:** How much flexibility do you
 21 have in the layout to avoid tile? It looks to me like
 22 it's pretty standard, like once you determine where
 23 it's going, that your posts are so many feet apart,
 24 you don't have a lot of leeway with that

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1 **MS. MILLER:** We do have flexibility. That's
 2 one of the reasons our sites are laid out the way they
 3 are. So we do have the ability -- the rows don't have
 4 to be 15 feet apart. There's a limit to how close
 5 they can be before they start shading one another, but
 6 we do have flexibility to move some of the rows. We
 7 should have brought other pictures of some of the
 8 other sites that we've designed around some crazy
 9 things.
 10 We do have the flexibility to move things
 11 when we need to, when we know -- especially if we find
 12 out that there is a whole row of drainage tile, we
 13 obviously want to avoid that. So we would be able to
 14 shift rows if need be to avoid that kind of thing. So
 15 we do have some flexibility.
 16 **MS. TURNER:** How many solar farms have you
 17 put in? You said there was 150 megawatts? Is that
 18 what you said you have?
 19 **MS. MILLER:** Yes.
 20 **MS. TURNER:** So what is that, three or four?
 21 **MS. MILLER:** 150 megawatts of community
 22 solar gardens, those are about 2 megawatts apiece.
 23 **MS. TURNER:** Okay.
 24 **MR. KURITZ:** Where are you putting your

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1 transformers or --
 2 **MS. MILLER:** The inverter?
 3 **MR. KURITZ:** -- inverter?
 4 When I looked through your application, you
 5 showed some details with concrete piles and that type
 6 of thing. Your decommissioning plan, that will
 7 address how far below soil? Because we have a
 8 standard for the wind farms where they have to take it
 9 down, what, 4 feet below ground, any concrete that's
 10 left, or take it out completely.
 11 **MS. MILLER:** Yeah. Most of those are on a
 12 skid on piles. If there are any construction people,
 13 did I say that incorrectly? They're on a skid on
 14 piles; so they may or may not have a foundation. That
 15 is determined, once again, by the soil conditions.
 16 That's what our construction people have told me.
 17 But, yes, if we are required to remove up to
 18 4 feet, then absolutely we would comply with any local
 19 regulations.
 20 **MR. KURITZ:** The piles would be the
 21 concrete.
 22 **MS. MILLER:** Well, they had said they were
 23 piers, steel piers.
 24 **MR. KURITZ:** Could be that too. What was

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1 shown in your documents was concrete piling.
 2 **MS. MILLER:** Okay. Yeah.
 3 **MR. BANGERT:** So these posts, they go in the
 4 ground a fair amount. Are they pounded in the ground,
 5 or are there holes drilled?
 6 **MS. MILLER:** They are piled. It's pile
 7 driven. Basically it depends on the type of soil how
 8 far they need to go. They basically refer to it as
 9 being gravity-held by the depth and soil type.
 10 **MR. BANGERT:** The interesting part would be
 11 to know how you would determine if there would be tile
 12 hit. If it's drilled, you're going to bring a piece
 13 of the type up with you. When you are pounding a post
 14 in the ground, generally, I mean a good operator can
 15 hear it happen. You know what I'm saying?
 16 Pounding them in is going to be a lot -- you
 17 may not -- if you do that job during a drought, it
 18 could be a year before you start having drainage
 19 issues on that farm or downstream.
 20 And then I think it's a really great idea to
 21 do a pollinator mix. You know, you're talking about a
 22 broadleaf though too and to control invasive species.
 23 One of those is going to be some woody plants:
 24 Mulberries, cotton woods -- so trees.

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1 How do they handle invasive species? What
 2 is their plan, or what does that entail?
 3 **MS. JENSEN:** Our vegetation maintenance plan
 4 proposes spot treating and mowing to control any
 5 invasive species found.
 6 **MR. BANGERT:** So we're talking about a
 7 chemical application of some sort, or is this
 8 mechanical?
 9 **MS. JENSEN:** We would use herbicides as
 10 needed.
 11 **MR. BANGERT:** Any consideration for fire
 12 breaks?
 13 **MS. JENSEN:** I think that's unlikely due to
 14 the nature of the development being a power plant. We
 15 wouldn't want to introduce a fire in the area.
 16 **MR. BANGERT:** Therefore a fire break would
 17 be helpful, is what I'm saying.
 18 What I mean is, with that kind of investment
 19 out there, when you leave vegetation without mowing it
 20 periodically, you build up a certain amount of fodder
 21 on the ground. Over time, that build-up, you know, in
 22 the right circumstances, whether it be lightning or
 23 somebody throwing a cigarette out -- I'm just curious
 24 if they put in some sort of clover fire breaks or

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1 something, whether it's near the neighbors or along
 2 the roads. I'm asking if there's any consideration
 3 for that.
 4 **MS. MILLER:** We do work with the local --
 5 whatever the township is -- fire department that would
 6 be responding to this to prepare an emergency
 7 management plan. That is part of the process that we
 8 go through as we move forward towards a building
 9 permit.
 10 **MR. BANGERT:** That's all I got. Thank you.
 11 **MR. ZIMMERMAN:** Where are the tile on this
 12 particular parcel?
 13 **MS. MILLER:** I don't think we've been made
 14 aware of any tile on this parcel yet by the property
 15 owner.
 16 **MS. JENSEN:** We will be conducting a field
 17 tile survey before construction and before any
 18 construction designs are made.
 19 **MR. ZIMMERMAN:** How close are the panels to
 20 the pollinator strips around there?
 21 **MS. MILLER:** The panels are -- I'm not
 22 exactly sure how far it is.
 23 **MR. ZIMMERMAN:** You have the pollinator
 24 strips around the edge, and then you've got, in the

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1 center --
 2 **MS. MILLER:** Well, it is about -- let's see.
 3 There we go. Let me put my glasses on. It looks
 4 like, on the west side, it is about between 107 and
 5 135 feet from the property line to the panels; and on
 6 the east side, it is between 150 and 175 feet.
 7 **MR. ZIMMERMAN:** So how wide are the
 8 pollinator strips in there?
 9 **MS. MILLER:** That's all pollinator, between
 10 the -- I guess I don't know what you're asking.
 11 **MR. ZIMMERMAN:** You've got the edge around
 12 with pollinators.
 13 **MS. MILLER:** Right.
 14 **MR. ZIMMERMAN:** You've got prairie, which
 15 includes tall grasses and a whole bunch of other
 16 native plants. You have a strip between -- I hope you
 17 have a strip between the edges, where you have the
 18 pollinator strips, and the panels.
 19 **MS. MILLER:** What I'm saying is that 150
 20 feet is all proposed to be planted with pollinators.
 21 **MR. ZIMMERMAN:** So the pollinator strips
 22 will come right up to the panels?
 23 **MS. MILLER:** It will be pretty close. I'm
 24 not sure exactly. There will be -- some of the array

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1 grasses will be there, but I don't know exactly how
 2 wide that will be.
 3 **MR. ZIMMERMAN:** Back to Brian's point, have
 4 you ever watched a prairie being burned?
 5 **MS. MILLER:** Yes.
 6 **MR. ZIMMERMAN:** The point is that they can
 7 go fairly fast and fairly far with a great amount of
 8 heat. So if you're burning the prairie off, which
 9 would be a natural thing to do every three to five
 10 years, if you don't have a big strip, you have issues.
 11 On to another topic, where does the
 12 electricity go?
 13 **MS. MILLER:** We tie into the grid, the grid
 14 for the point of interconnect.
 15 **MR. ZIMMERMAN:** How far away is the grid
 16 from here?
 17 **MS. MILLER:** We tie in right at the road.
 18 The point of interconnect is right at our access road.
 19 We tie right in there. It immediately feeds into the
 20 electrical grid right at that point.
 21 **MR. ZIMMERMAN:** So the grid is right there
 22 at the road, on County Road 50 North?
 23 **MS. MILLER:** Yes. It's that little shaded
 24 box right there. That's where we tie in.

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1 **MR. ZIMMERMAN:** So the grid goes right
 2 across there?
 3 **MS. MILLER:** Yes.
 4 **CHAIRMAN FINNIGAN:** Why did you pick this
 5 particular spot?
 6 **MS. MILLER:** Good question. When we site a
 7 project, there are several things that we consider.
 8 First of all, there has to be a willing property
 9 owner. Second of all, there has to be three-phase
 10 electric. That's a requirement. Third, there has to
 11 be a substation within close proximity to the property
 12 to have stable power, to prevent what we call
 13 "flicker."
 14 The other thing we look for -- so once all
 15 those criteria are met, then we look at the actual
 16 site and determine: Are there any wetlands? Are
 17 there any floodplains? Are there natural barriers?
 18 Can it meet the county codes? That's basically -- and
 19 this site, you know, met all the criteria.
 20 **CHAIRMAN FINNIGAN:** Was there any thought to
 21 the site having such a high LESA score, that maybe you
 22 could find something that wasn't quite as good land?
 23 **MS. MILLER:** Well, obviously we don't know
 24 what the LESA score is until it goes through the

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1 county process. But we looked at the production of
 2 agricultural land, and one of the things -- Geronimo
 3 has deep roots in agriculture. We were founded by
 4 farmers. One of the things that we look at is how our
 5 projects contribute to the local community.
 6 We feel that taking the project and adding
 7 the grass array and the pollinator stabilizes the
 8 soil, increases infiltration, and decreases runoff.
 9 It is not removing the project permanently from
 10 agricultural usage. It is just a -- I don't want to
 11 say it's a temporary use, but it is not a permanent
 12 use.
 13 We feel that solar is a good use of
 14 agricultural land because it contributes to the local
 15 community.
 16 **CHAIRMAN FINNIGAN:** What is your expected
 17 life span of this project? How long do you think it's
 18 going to be there?
 19 **MS. MILLER:** Typically our leases are about
 20 20 to 25 to 30 years.
 21 **CHAIRMAN FINNIGAN:** Would you expect the
 22 soil to be in better condition when you leave or
 23 worse?
 24 **MS. MILLER:** Better.

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1 **CHAIRMAN FINNIGAN:** Why do you expect that?
 2 **MS. MILLER:** It's not turned over every
 3 year. It is stabilized. It has a stable, constant
 4 crop on it year around for the term of the project,
 5 pretty much. So it won't have constant turn over. It
 6 won't have the runoff and erosion that can sometimes
 7 be seen with crops.
 8 We feel that we leave the project in as good
 9 or better condition than we found it.
 10 **CHAIRMAN FINNIGAN:** Okay. Thank you.
 11 **MS. TURNER:** How long is the construction
 12 from beginning to end? How long will there be
 13 disruption?
 14 **MS. MILLER:** It takes about six months once
 15 we actually get on site, six to eight months,
 16 depending obviously on weather. We can't really
 17 control that. So six to eight months once we actually
 18 get on site.
 19 **MS. TURNER:** So you'll be out there the same
 20 time that the farmers are out there with their big
 21 equipment. What has your experience been with that?
 22 **MS. MILLER:** Because we aren't necessarily
 23 excavating or grading and that kind of thing, we don't
 24 necessarily have to be out there in the middle of

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1 summer. But we work with farmers all the time all
 2 over.
 3 One of the reasons you see that our panels
 4 and fences are set back is so that adjacent property
 5 can turn their farm equipment around on the property.
 6 That's one thing we take into consideration when we
 7 put our projects together.
 8 So we haven't experienced a problem with it,
 9 and we hope to continue in that direction.
 10 **MS. TURNER:** In your experience that you
 11 guys have had, what's the most common complaint that
 12 you get from these type of things? What's the biggest
 13 issue or things that you have to deal with once
 14 they're in?
 15 **MS. MILLER:** Once they're in?
 16 **MS. JENSEN:** With the projects we have in
 17 operation in Minnesota, I think a lot of our neighbors
 18 are -- their lives aren't interrupted by the solar
 19 farm.
 20 **MS. MILLER:** They are low impact. They
 21 don't make any noise. They don't cause any odors.
 22 We were at a project -- I was at a county
 23 board meeting a couple weeks ago, and there was a
 24 county board member that drove by a solar farm every

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1 day for the last couple years, and she didn't even
 2 realize it was there.
 3 They're low profile. They don't create a
 4 lot of disruption once they're in. They will pretty
 5 much become part of the landscape.
 6 **MR. ZIMMERMAN:** How many people do you plan
 7 to employ on an ongoing basis?
 8 **MS. MILLER:** On an ongoing basis? Well,
 9 during construction, there are seven -- I believe it
 10 is seven to ten full-time positions, full-time
 11 equivalent positions, over the construction process.
 12 But on an ongoing basis, it would just be maintenance;
 13 and that would be depending upon, you know, where our
 14 projects are located.
 15 So we would have, obviously, an Illinois
 16 office or a location here that would be able to do the
 17 maintenance, but we would not have a full-time
 18 position at this location.
 19 **MR. ZIMMERMAN:** What provisions do you have
 20 for washing -- there's a lot of dust -- for washing
 21 the panels?
 22 **MS. MILLER:** We have remote monitoring that
 23 measures the amount of electricity generated by the
 24 panels. If something comes up and we see there's a

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1 problem, you know, that it's not generating or there's
 2 something going on, we would check on that. If it's
 3 because of dust, then we would address it at that
 4 time. But the systems are remotely monitored.
 5 **MS. TURNER:** I have just a procedural
 6 question, Phil. Is there a reason these applications
 7 come through without a reclamation plan? Is it not in
 8 our guidelines yet?
 9 **MR. DICK:** There is a reclamation plan that
 10 they submitted. It's just not very thorough.
 11 **MS. TURNER:** Okay. Thank you.
 12 **MR. ZIMMERMAN:** Another procedural question.
 13 As Jim pointed out, the soil is going to be fallow for
 14 a generation, give or take. Depending on what they
 15 plant underneath it, that will either not do anything
 16 to the soil or deplete it or be able to rebuild it.
 17 Is there a stipulation we could put in there
 18 that they would find some sort of planting underneath
 19 it that would rebuild the soil?
 20 What we're facing here is taking 38 acres,
 21 give or take, out of -- the area of the array is 28
 22 acres -- out of production for producing 2 megawatts
 23 of energy. If we compare that to a -- we probably
 24 ought to ask you guys how you compare -- or 4

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1 megawatts?
 2 **MR. DICK:** Did you see stipulation number 4
 3 in the staff report?
 4 **MR. ZIMMERMAN:** I could probably focus on
 5 it. Thank you for pausing while I look at that.
 6 "Ground cover that encourages pollination
 7 that is recommended . . ." So that's for the
 8 pollination strip. Is that also underneath?
 9 **MR. DICK:** We would like the Soil and Water
 10 Conservation District to review any kind of planting
 11 that they're doing on the site. The ground cover is
 12 underneath it too. Underneath all the panels, there's
 13 ground cover.
 14 **CHAIRMAN FINNIGAN:** I guess for a farmer,
 15 talking about it, a legume would be a good root plant
 16 that would be good to have under there for long term.
 17 It would help build the soil. That's just my thought.
 18 **MR. ZIMMERMAN:** And a legume might be
 19 something that pollinators would appreciate because of
 20 the flowers? As a bee keeper, I'm just teasing you.
 21 **MS. MILLER:** I will say, for the
 22 decommissioning plan, typically that's something that
 23 is submitted as we -- it's hard for us to submit a
 24 decommissioning plan because we haven't selected what

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1 we're putting on the site yet. So to give you a cost
 2 estimate for the type of racking and the solar panels
 3 without actually selecting those, it's pretty
 4 difficult. So that's typically done, a full-blown,
 5 you know, with all the cost estimates and everything,
 6 when we apply for building permits or as part of that
 7 process.
 8 What I can provide and what I'm happy to
 9 provide is one that was done where we have gone
 10 through that process or a sample one that shows the
 11 general costs and estimates for decommissioning.
 12 Just to give you an idea, the
 13 decommissioning plans are pretty thorough. They do
 14 include the cost for equipment and staff and the soil
 15 restoration, but they also include the salvage value
 16 of all of the existing equipment on the site.
 17 So it would include, you know, the rental
 18 for bringing in stuff to remove, the extraction, site
 19 restoration, disassembly, insurance, transport,
 20 equipment rental, contractor overhead and profit; but
 21 they also include salvage value. So typically there
 22 is a net benefit. After you subtract all that out and
 23 calculate the salvage value, there's a net benefit.
 24 **MR. ZIMMERMAN:** "See page 17 of 19 on

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1 Appendix D" is the decommissioning plan as they have
 2 it outlined here.
 3 **CHAIRMAN FINNIGAN:** Why wouldn't you know
 4 which kind of a panel you're going to use at this
 5 point, fixed or movable?
 6 **MS. MILLER:** It depends on the engineers,
 7 what is best suited for that site. You know, they
 8 calculate -- they look at the power generation for
 9 that site based on fixed tilt and tracking, and they
 10 do a calculation on what's more cost effective, what's
 11 the best cost available for the equipment at that
 12 time, what the panels are. All of that stuff is taken
 13 into consideration, you know, what type of panels
 14 we're using, what the racking system is. They look at
 15 all of those things.
 16 The tracking system is considerably more
 17 expensive. So is the generation going to be of such
 18 an increase that it makes up for that? You know what
 19 I'm saying? It costs more to install the tracking; so
 20 is it going to generate enough power to make up for
 21 that cost differential in that location.
 22 **CHAIRMAN FINNIGAN:** Why would this site be
 23 any different than any other sites you have?
 24 **MS. MILLER:** Well, it's just based on the

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1 engineering and the location of the site. That's
 2 something they look at on a site-by-site basis.
 3 **CHAIRMAN FINNIGAN:** Another question:
 4 What's the maximum distance you can be away from the
 5 substation?
 6 **MS. MILLER:** Typically a half a mile is
 7 about what we --
 8 **CHAIRMAN FINNIGAN:** And that has a
 9 determination of where you position these also?
 10 **MS. MILLER:** Yes.
 11 **MR. ZIMMERMAN:** I'm assuming that your
 12 plants are 2 megawatt apiece?
 13 **MS. MILLER:** Yes.
 14 **MR. ZIMMERMAN:** So of the 50-plus you've
 15 done as of the fourth quarter 2017, how many of those
 16 are tilted, and how many of those are tracking?
 17 **MS. MILLER:** That I don't know. Marta, do
 18 you know?
 19 **MS. JENSEN:** I'm not familiar with that
 20 number, but we can provide you with that later.
 21 **CHAIRMAN FINNIGAN:** Any other questions?
 22 **MR. ZIMMERMAN:** As these plants have been
 23 coming on, solar energy has been going through a
 24 learning curve, and it's been changing. What have you

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1 noticed in the development, changes from one sort of
 2 panel to another sort of panel and perhaps other sorts
 3 of technological differences?
 4 **MS. MILLER:** Well, the efficiency of the
 5 panels -- and Marta, you can jump in at any time --
 6 the efficiency of the panels has improved greatly over
 7 the last few years, and it continues to improve.
 8 The same thing with, you know, the systems,
 9 tying in the systems together, and the inverter, just
 10 the overall increase of efficiency of the entire solar
 11 generation facility. They continue to make better
 12 panels, better systems that are more efficient and
 13 more cost effective and more durable.
 14 So as solar has been around for a number of
 15 years, the changes that they've made in the last few
 16 years have been -- the technology and improvements
 17 that they've made have been significant.
 18 **MR. BANGERT:** Of the systems that you're
 19 considering for this project, where are they
 20 manufactured?
 21 **MS. MILLER:** I'm not really sure. I don't
 22 know that we -- we go out for bid. That is typically
 23 on a project-by-project basis; so I couldn't tell you
 24 specifically for this one project. If we have a

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1 number coming on line at one time, we'd obviously try
 2 to bid them together. If this one comes on line at a
 3 different time, it would be bid as an individual.
 4 It's going to depend.
 5 **MR. KURITZ:** How many different
 6 manufacturers are there of these panels? Hundreds?
 7 Or is it like turbines, where there's a limited
 8 number?
 9 **MS. JENSEN:** I'm not familiar with the
 10 number of different solar panel manufacturers either.
 11 That's something we can look into, if you'd like us.
 12 **MR. KURITZ:** When you put your project out
 13 for bid, I assume you have a specification. Who do
 14 you list as the -- not preferred, but the
 15 manufacturers that you will accept?
 16 **MS. JENSEN:** I think we have a few
 17 manufacturers that we've worked with in the past that
 18 we're comfortable with that we would invite to bid.
 19 I'm not familiar with our procurement or construction
 20 bidding process, but that's something we can look
 21 into.
 22 **MR. KURITZ:** So you don't have a standard
 23 specification that says that you will only use this
 24 group of manufacturers?

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1 **MS. MILLER:** It's not a closed bid. It's an
 2 open bidding process. So you would send out the bids
 3 to, you know -- let's say we've worked with five
 4 different solar companies in the past. But it would
 5 be open also -- you could send out and invite those
 6 specific ones to bid, but it would also be open to bid
 7 for other companies.
 8 Yes, we do have specific specifications, but
 9 it's not limited to certain bidders. I'm not sure if
 10 I'm answering your question.
 11 **MR. KURITZ:** I understand not limiting it to
 12 certain bidders. It's an open bid from that
 13 perspective.
 14 On our construction projects, the designer
 15 has a certain product that he wants. Doesn't care who
 16 it is that supplies it to him. They want it at the
 17 lowest price. That's why they go with the competitive
 18 bidding. But you still are specifying a specific
 19 product, not that you could come in with some --
 20 **MS. MILLER:** Yes. That would be determined
 21 by our engineers, what they want for that particular
 22 site and type of system. So they would determine what
 23 that would be, and that's what we would include in our
 24 specifications, what the minimum requirement. And it

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1 would be the lowest qualified bidder, I'm assuming, as
 2 opposed to just the lowest bid.
 3 **MR. KURITZ:** That's what I was getting
 4 around to. Somewhere, somehow somebody ought to have
 5 a handle on what manufacturers and where these are
 6 manufactured, I guess.
 7 **MS. MILLER:** Just so you understand, we're
 8 not part of the procurement process. That's why Marta
 9 said we can look into that, obviously, and get back to
 10 you on it.
 11 **MR. ZIMMERMAN:** There's been a lot spoken
 12 about tariffs lately, and apparently solar panels are
 13 also in the tariffs. What impact have you noticed on
 14 the tariffs going on in solar panels? Increase in
 15 price? Increase in availability? Decrease in price
 16 or availability?
 17 **MS. MILLER:** Well, I don't know that we've
 18 noticed an impact yet, I would say, but I think that
 19 there is the possibility for impact on that certainly.
 20 We just don't know yet what that impact is going to
 21 be, quite honestly. It's too soon to tell.
 22 **CHAIRMAN FINNIGAN:** If they do put a tariff
 23 on them, would it stop the project?
 24 **MS. MILLER:** No.

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1 **CHAIRMAN FINNIGAN:** It's going to go ahead
 2 anyway? You just have to speak Chinese to read it?
 3 Any other questions?
 4 (No response.)
 5 **CHAIRMAN FINNIGAN:** Questions from staff?
 6 **MR. DICK:** No.
 7 **CHAIRMAN FINNIGAN:** Would anyone in the
 8 audience have questions for this witness? Come one at
 9 a time. It's just for questions, but you've got to
 10 state your name and address.
 11 **MR. BROADFIELD:** Russell Broadfield 3634
 12 North 685 East, McLean, 61754.
 13 **MR. DICK:** Could you repeat the address,
 14 please?
 15 **MR. BROADFIELD:** 3634 North 685 East Road,
 16 McLean.
 17 **CHAIRMAN FINNIGAN:** You can go ahead and
 18 ask.
 19 **MR. BROADFIELD:** I'm the Road Commissioner;
 20 so I'd like to talk about access. The access is off
 21 of 050?
 22 **MS. JENSEN:** Uh-huh.
 23 **MR. BROADFIELD:** Does it have to be off of
 24 050? The 700 East is an all-weather road. 050 is

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1 not. 700 East is a McLean County highway.
 2 I would like to avoid the 700 feet from the
 3 entrance over to Waynesville Road being destroyed, and
 4 then I'd like to avoid -- from the entrance to the
 5 substation is going to pick up a fair amount of
 6 traffic, I would expect. The substation is about two
 7 and a half miles away, if you're talking about the one
 8 on 136.
 9 **MS. JENSEN:** We won't be visiting or
 10 impacting any traffic to the substation. All of our
 11 traffic would be confined to getting to the project
 12 and within the project site along the access road.
 13 **MR. BROADFIELD:** Am I correct the access
 14 road comes off of 050?
 15 **MS. JENSEN:** Yes.
 16 **MR. BROADFIELD:** Does it have to? Can we
 17 rotate around and come off of 700 East?
 18 **MS. JENSEN:** I believe our site plans are
 19 fairly flexible at this point in the development
 20 process.
 21 **MS. MILLER:** Could we access for
 22 construction off of -- because once it's built -- I
 23 just don't know, for interconnection, if they like the
 24 entrance to be close to the interconnection, which is

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1 off of 50.
 2 So I'm just wondering if, for construction
 3 purposes, if we can come off the side road or come off
 4 the east there to access it and then, once it's up and
 5 running, the access would be -- I don't know. That's
 6 why I'm asking. Because there would be little to no
 7 traffic once it's up and running.
 8 **MR. BROADFIELD:** Those roads are barely
 9 keeping together as they are with the traffic we have.
 10 **MS. MILLER:** They're chip and oil, right?
 11 **MR. BROADFIELD:** Yeah. So if Ameren starts
 12 driving back and forth from your entrance around to
 13 the substation, we'll see damage.
 14 **MS. MILLER:** Okay.
 15 **MR. BROADFIELD:** I think we should talk
 16 about that before we, you know, make a decision.
 17 **MS. MILLER:** I'm just asking. Like she
 18 said, our site plans are flexible for access. We can
 19 certainly look at that.
 20 **MR. BROADFIELD:** In practicality, 700 East
 21 is twice as wide. It has way more traffic than 050,
 22 but 050 is a 42-foot road. That semi you had in the
 23 picture will have a hard time getting off of 700 and
 24 on to 50. So we should probably talk to the County

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1 because 700 is a county road.
 2 **MS. MILLER:** Okay. Certainly.
 3 **CHAIRMAN FINNIGAN:** Would anyone else have
 4 questions for Russ, anybody on the Board?
 5 I've got a question or a statement. Now is
 6 your time to kind of decide if you want this or not
 7 because, if this gets approved, you're going to have
 8 less power to come back. I think this is your time to
 9 object, if I'm looking at this right.
 10 **MR. BROADFIELD:** I want something that will
 11 not have, especially that 700 feet of road, looking
 12 like it's destroyed at the end of the construction
 13 period. And then we have to come in and try to make
 14 it workable again.
 15 I don't know if we have to sit down and get
 16 some wording or take some -- I guess you've got
 17 pictures of the road. I would take pictures to start
 18 with and say we want it to at least look like this
 19 when you get done.
 20 **CHAIRMAN FINNIGAN:** Would the road have to
 21 be upgraded to the point of entrance from 700 to where
 22 the entrance is on 50?
 23 **MR. BROADFIELD:** If we're going to stay with
 24 the entrance on 50, we probably need to think about

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1 that.
 2 **MR. ZIMMERMAN:** Mr. Broadfield, you're the
 3 Road Commissioner. This has a stipulation of a road
 4 agreement. How much have you been in discussion with
 5 this group before tonight?
 6 **MR. BROADFIELD:** None.
 7 **MS. MILLER:** We have entered into road
 8 agreements in the past; so we would not have an issue
 9 entering into a road agreement with the Township.
 10 **MR. BANGERT:** If there was a stipulation
 11 that the care of this road was maintained to the
 12 acceptable before and after, if it wasn't feasible for
 13 them to move it or upgrade it such as Chairman
 14 Finnigan mentioned, would that be agreeable?
 15 **MR. BROADFIELD:** I'd have to think about it,
 16 but I don't like that because then we've got a torn-up
 17 road that we have to argue about. I'd rather avoid
 18 the torn-up road before.
 19 **MS. TURNER:** I think, rather than our coming
 20 up with the road agreement, it's a stipulation that
 21 they have to have one with you before this goes
 22 through. It won't be approved until we get a road
 23 agreement. And that obviously is going to happen at a
 24 later date since it hasn't happened at this point and

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1 there's been no conversation; but point well taken
 2 that they need to consider this.
 3 As far as I'm concerned, if we approve this
 4 with a stipulation, it doesn't move forward until
 5 you're happy with what that agreement is.
 6 **CHAIRMAN FINNIGAN:** It's the number 1 in the
 7 conclusion of the staff. "An entrance permit is
 8 obtained from Funks Grove Township Road Commissioner."
 9 So you have the power to do what you need to do.
 10 **MR. BROADFIELD:** An entrance permit is the
 11 same as a road agreement, sort of?
 12 **CHAIRMAN FINNIGAN:** If you don't give them
 13 an entrance permit, they can't come down your road.
 14 **MR. BROADFIELD:** Okay.
 15 **MR. ZIMMERMAN:** This is up to you. You can
 16 specify where it comes in and make sure it's
 17 acceptable and reasonable. Like you say, you don't
 18 want to have to go repair a road that got torn up and
 19 whatever.
 20 **MS. TURNER:** I think what they're saying is
 21 that there's a difference between the construction
 22 phase, which they may be able to come in off one of
 23 the other roads, versus the access road, where there
 24 would be maybe a regular pickup truck coming in once a

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1 month at most or something. So I think that's what
 2 they're getting at.
 3 **MR. BROADFIELD:** Yeah. I think I have to
 4 talk to Jerry at the Highway Department because we're
 5 talking about -- 700 is his road.
 6 **MS. TURNER:** That's what I would suggest. I
 7 think that all has to happen before they can start
 8 building.
 9 **CHAIRMAN FINNIGAN:** I think you're off the
 10 hook.
 11 **MR. BROADFIELD:** Thank you.
 12 **CHAIRMAN FINNIGAN:** Any other questions?
 13 State your name and address.
 14 **MR. HUGHES:** Matthew Hughes, 3504 North 900
 15 East Road, Shirley, 61772.
 16 **MR. DICK:** Could you spell your name,
 17 please.
 18 **MR. HUGHES:** H-u-g-h-e-s.
 19 **MR. DICK:** Matthew with two T's?
 20 **MR. HUGHES:** Yes.
 21 **CHAIRMAN FINNIGAN:** Just for questions.
 22 **MR. HUGHES:** This might be as much for you
 23 as for them, but will the County reserve approval of
 24 any land transfer or sale of this site if it happens

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1 and ensure that the covenant stays with -- the
 2 decommissioning covenant stays with the contract?
 3 Will that happen?
 4 **MR. DICK:** Don't understand your question.
 5 **MR. HUGHES:** If they sell this site to
 6 another entity down the road, will the County reserve
 7 the right to approve that transfer to ensure that the
 8 escrow stays intact?
 9 **MR. DICK:** It goes with the land.
 10 **MR. HUGHES:** Absolutely?
 11 **MR. DICK:** Yeah.
 12 **MR. HUGHES:** So it's not like the wind.
 13 Okay. It hasn't been passed. That's why I'm asking.
 14 I would like to make sure that's very clear, that the
 15 County reserves the right to approve transfers of
 16 ownership. That's my question.
 17 **MR. DICK:** Are you asking if the County has
 18 to approve the transfer?
 19 **MR. HUGHES:** I'm asking if the County will
 20 do that and then requesting that they do make that as
 21 a stipulation of the approval, putting that as a
 22 contingency of approving this plan.
 23 **MR. DICK:** The County hasn't done that in
 24 the past.

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1 **MR. HUGHES:** Well, I'm asking that they do
 2 it from here forward. That's my request and my
 3 question.
 4 **CHAIRMAN FINNIGAN:** Decommissioning goes
 5 with the project.
 6 **MR. DICK:** I really don't know that the
 7 County is going to want to be involved in the transfer
 8 of any of these properties.
 9 **MR. HUGHES:** Well, then that's a big
 10 concern. Because if we have an escrow set aside or we
 11 have a requirement that they return this land to its
 12 original state and then they transfer this to somebody
 13 else, they're not going to be bound by that any
 14 longer. That's what's often happened with a lot of
 15 wind contracts in the past.
 16 **MR. DICK:** Wind contracts where?
 17 **MR. HUGHES:** What?
 18 **MR. DICK:** Where are these wind contracts
 19 that you're talking about.
 20 **MR. HUGHES:** Just in general, that's been
 21 one of the downfalls of them. It has happened.
 22 **MS. MILLER:** Let me jump in here, if I can.
 23 The conditional use runs with the land. If we put up
 24 a surety for the County, that's a surety with the

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1 County.
 2 But the conditions are assigned to the
 3 property. So if I sell to Chairman Finnigan, if the
 4 property is sold, he is bound by the same conditions
 5 as Geronimo Energy or as Heyworth Solar for the
 6 conditional use. As one of the conditions of the
 7 conditional use, a surety is required. They're bound
 8 by the same conditions.
 9 **MR. HUGHES:** It's a question. I just want
 10 to make sure it's covered. And I'm not an expert in
 11 the area. I'm not saying I am.
 12 I know we have had issues with the gravel
 13 pit locally with it running out of money. That's
 14 another question. Is there going to be a cost of
 15 living clause on this to make sure, as costs increase,
 16 will we be able to reclaim it? Again, just down the
 17 road with the gravel pit, that's what we ran into
 18 there.
 19 I just want to make sure -- that's my number
 20 one question. The reclamation side of this, is it
 21 going to be with the ground permanently and not be
 22 able to get out of it by transferring ownership to a
 23 third party. That's one question.
 24 Then moving on, my other question is: I'm

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1 curious about the economic analysis that was done. So
 2 if it has an existing solar crop on there, that's the
 3 most natural solar crop in the world or power plant in
 4 the world. It actually stores energy.
 5 How does the economics of that compare to
 6 the solar farm in terms of both megawatts output and
 7 profitability in terms of the best and highest use of
 8 that land?
 9 **MS. MILLER:** I don't know. I haven't
 10 conducted -- as far as I know, we haven't conducted a
 11 an analysis of what is existing on the property.
 12 What is proposed on the property will power
 13 annually 870 homes approximately, give or take, and
 14 reduce the carbon footprint by -- I think it's 5,000
 15 -- is that what it is? 5,000 cubic tons.
 16 That's what I can tell you. That's what an
 17 approximately 4 megawatt site produces.
 18 **MR. HUGHES:** How does that compare to the --
 19 **MR. MILLER:** And I said I don't know. I
 20 have not analyzed what's there currently.
 21 **MR. HUGHES:** That's my questions.
 22 **CHAIRMAN FINNIGAN:** Any questions from the
 23 Board members for Mr. Hughes?
 24 **MS. TURNER:** Are we saying he was testifying

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1 there, or was he just asking questions?
 2 **CHAIRMAN FINNIGAN:** I think he was just
 3 asking questions.
 4 I guess we're done. We'll let you go.
 5 **MR. HUGHES:** Was I not clear with my
 6 questions?
 7 **CHAIRMAN FINNIGAN:** I know what your
 8 question is. If you're going to come back for
 9 testimony, we'll be a little harder on you. You can
 10 come back.
 11 Anybody else? Come on ahead.
 12 **MR. FUNK:** Eric Funk, 1924 Grove Road,
 13 Armington.
 14 **MR. DICK:** Is that Eric with a K?
 15 **MR. FUNK:** C. Come on, Phil.
 16 I'm going to make it quick. We farm right
 17 across the road on both the northeast and northwest
 18 corners of this ground. My landlord wants to know:
 19 Have you got any studies that show the impact of the
 20 surrounding land as far as value goes?
 21 **MS. MILLER:** Yes.
 22 **MR. FUNK:** Reduction or improvement?
 23 **MS. MILLER:** Did we provide you with the
 24 property value impact? Okay. I don't remember who we

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1 provided what. We are happy to provide any
 2 statements.
 3 We have a number of studies: one done by
 4 Grundy County and Cohn Reznick, one done in North
 5 Carolina, another done in Chisago County, Minnesota.
 6 Basically all of them come to the same conclusions,
 7 that there is no impact on property value, positive or
 8 negative.
 9 **MR. FUNK:** Okay. Great. I'd like to get a
 10 hold of those.
 11 **MS. MILLER:** Sure. I will give you my
 12 contact information.
 13 **MR. FUNK:** Then the other concern is: Are
 14 there carbon emissions with those panels?
 15 **MS. MILLER:** There are not.
 16 **MR. FUNK:** There are no carbon emissions at
 17 all.
 18 **MS. MILLER:** (Shaking head from side to
 19 side.)
 20 **MR. FUNK:** Okay. That's all I've got.
 21 **CHAIRMAN FINNIGAN:** Thanks. Any questions?
 22 (No response.)
 23 **CHAIRMAN FINNIGAN:** Any other questions from
 24 the audience?

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1 **MS. ZIEGLER:** Anna Ziegler, Z-i-e-g-l-e-r,
 2 2242 Westgate Drive, Bloomington.
 3 **MR. DICK:** Can you speak a little slower?
 4 **MS. ZIEGLER:** Yes. Anna Ziegler,
 5 Z-i-e-g-l-e-r, 2242 Westgate Drive, Bloomington,
 6 Illinois, 61705.
 7 You mentioned two types of solar panels,
 8 thin film and polycrystalline. Can you tell me a
 9 little bit more about the difference between those two
 10 or what they contain?
 11 **MS. JENSEN:** They contain silicon and
 12 typically other elements that convert the sunlight to
 13 DC.
 14 **MS. MILLER:** I can -- hang on a second. I
 15 had a little note here. Okay. "Project will contain
 16 silicon, glass, and aluminum."
 17 The panels are not considered -- I know
 18 we've had this question before. They are not
 19 considered hazardous waste. They are not considered
 20 toxic. They contain silicon, glass, and aluminum and
 21 are considered recyclable.
 22 **MS. ZIEGLER:** There's no concern about
 23 materials that might leach into the soil or ground
 24 water?

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1 **MS. MILLER:** No.
 2 **MS. ZIEGLER:** You mentioned underground
 3 cable. How deep are the cables trenched?
 4 **MS. MILLER:** Typically the trenching is
 5 about 3 to 4 feet.
 6 **MS. ZIEGLER:** And in your decommissioning
 7 plan, you mentioned removal of above-ground conduit.
 8 Does that apply to underground conduit and cables?
 9 **MS. MILLER:** We remove anything that is,
 10 well, required by the decommissioning. It depends on
 11 what people want. But we do remove anything that
 12 would be recyclable. So if it's required to be
 13 removed, we would remove it; and if it is recyclable,
 14 it is removed.
 15 **MS. ZIEGLER:** You mentioned a little bit
 16 about neighbors. Do you have any concern about dust
 17 from normal farming practices in the proximity of the
 18 project?
 19 **MS. MILLER:** No, we don't have any concern.
 20 We have a number of projects. We're located
 21 predominantly in agricultural districts all over the
 22 Midwest, and we have not had any issues with our
 23 neighbors.
 24 **MS. ZIEGLER:** Have you ever signed a

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1 nuisance disclaimer to that effect?
 2 **MS. MILLER:** I don't think so. Have we?
 3 **MS. JENSEN:** I'm unaware. But I can look
 4 into that and get back to you.
 5 **MS. ZIEGLER:** You mentioned that, at the end
 6 of the life of the project, the solar panels are 90%
 7 effective. Where did those figures come from?
 8 **MS. MILLER:** That's based on -- based on
 9 productivity, they lose about 0.5 percent a year. So
 10 over a 20-year span -- that's based on our current
 11 panels and our current farms that we currently have.
 12 **MS. ZIEGLER:** So is that a manufacturing
 13 specification, or is that observed loss?
 14 **MS. MILLER:** I believe it's both.
 15 **MS. ZIEGLER:** You also mentioned, when you
 16 were talking about the decommissioning plan, that
 17 there is a net benefit from the salvage of these
 18 materials. So if you calculate a net benefit, do you
 19 provide financial assurance?
 20 **MS. MILLER:** We do provide a surety both to
 21 the property owner as part of the lease agreement and,
 22 I believe, as part of decommissioning we provide it to
 23 the local -- the County as part of the agreement with
 24 the County as part of their decommissioning procedure.

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1 **MS. ZIEGLER:** Are you familiar with
 2 Agricultural Impact Mitigation Agreements?
 3 **MS. MILLER:** Yeah. In the state right now,
 4 there is not an AIMA in place for solar panels or for
 5 solar development. There is one in place for wind.
 6 However, if there is an AIMA in place at the time, we
 7 would certainly comply with that.
 8 **MS. ZIEGLER:** What do you define as "at the
 9 time"? Is that at the time you file the application
 10 or at the time of construction?
 11 **MS. MILLER:** Well, it would be, I'm
 12 guessing, at the time of application for construction.
 13 **MS. ZIEGLER:** Part of the reason I'm asking
 14 that question: There is a solar AIMA that's been
 15 passed by Illinois House and Illinois Senate that's
 16 awaiting the Governor's signature. There is one
 17 coming soon. It's just not quite enacted yet.
 18 So would you for this project sign that type
 19 of agreement?
 20 **MS. MILLER:** We would at the time of
 21 construction. But at this time, there is not one in
 22 place, meaning it has not been approved. It has not
 23 been signed, and there's no policy enacted at this
 24 time that we would be able to follow.

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1 So right now, if you apply for it, who
 2 oversees it? Who approves it? There's nothing to --
 3 there's no place for it to go, basically.
 4 **MS. ZIEGLER:** Okay. No further questions.
 5 **CHAIRMAN FINNIGAN:** Thank you. Anybody else
 6 have questions?
 7 (No response.)
 8 **CHAIRMAN FINNIGAN:** We can't ask her
 9 questions right now. She has to come back for
 10 testimony. I got my wrist slapped on that one.
 11 At this point, does anybody want to give
 12 testimony in the case?
 13 (Mr. Matejka sworn.)
 14 **CHAIRMAN FINNIGAN:** State your name and
 15 address.
 16 **MR. MATEJKA:** Michael Matejka,
 17 M-a-t-e-j-k-a, 800 North School Street in Normal.
 18 I would just, as I have before with this
 19 Board, encourage the developer here to make sure they
 20 not only maximize the energy efficiency and the
 21 activity for this in terms of McLean County becoming a
 22 center for renewable energy in downstate Illinois, but
 23 they also employ the local skilled construction trades
 24 in the building and maintenance of this.

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1 We've got a skilled workforce in McLean
 2 County that can do this job and do it well, and that
 3 would return money to the local tax bases and to the
 4 local commercial areas by employing local labor. So I
 5 would like to, in public, make that request of
 6 Geronimo Energy.
 7 **CHAIRMAN FINNIGAN:** Okay. Thank you.
 8 Questions?
 9 (No response.)
 10 **CHAIRMAN FINNIGAN:** Anyone in the audience
 11 have questions?
 12 (No response.)
 13 **CHAIRMAN FINNIGAN:** You're off the hook, I
 14 think.
 15 Anyone else who would like to give testimony
 16 in this case, come forward.
 17 (Anna Ziegler sworn.)
 18 **CHAIRMAN FINNIGAN:** State your name and
 19 address again.
 20 **MS. ZIEGLER:** Anna Ziegler, Z-i-e-g-l-e-r,
 21 2242 Westgate Drive, Bloomington, Illinois, 61705.
 22 Just a comment in regards to the Township
 23 Road Commissioner's concern about a road use
 24 agreement. My understanding is that an access permit

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1 is not the same as a road use agreement; and if there
 2 are concerns about that, I would encourage the Board
 3 to adopt a stipulation that they need a road use
 4 agreement because that requires a baseline study of
 5 the road and financial assurance that the road will be
 6 repaired. I think that would provide a little more
 7 protection along the lines of what the Township is
 8 asking, if in fact they use that road instead of the
 9 county highway.
 10 **CHAIRMAN FINNIGAN:** Questions?
 11 (No response.)
 12 **CHAIRMAN FINNIGAN:** Anyone in the audience?
 13 (No response.)
 14 **CHAIRMAN FINNIGAN:** I think you're okay.
 15 Thank you.
 16 Any other testimony in this case?
 17 (No response.)
 18 **CHAIRMAN FINNIGAN:** I think we're down to
 19 the point of making a closing statement.
 20 **MS. MILLER:** Thank you. I just want to say
 21 we really appreciate your time. I know these things
 22 can be very time consuming, and we appreciate your
 23 giving us a chance to testify and to address your
 24 questions.

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1 I would like to reiterate that we will
 2 comply with all county requirements and township
 3 requirements, and we have no problems entering into a
 4 road agreement if that's the direction. We've done it
 5 in the past in several projects, and we have no
 6 problems with that. And if there's additional
 7 information you would like us to provide, we are happy
 8 to do that.
 9 **CHAIRMAN FINNIGAN:** Okay. This part of the
 10 hearing is closed, and we can deliberate on the case.
 11 What do you guys want to talk about?
 12 **MR. BANGERT:** Let's get the stipulation on
 13 the road use agreement out of the way.
 14 **CHAIRMAN FINNIGAN:** I think it's kind of
 15 important all the way around. It just seems to me
 16 like it would be a lot better off to go with the
 17 county road.
 18 **MR. BANGERT:** I think if that's an option
 19 for them -- that even makes more sense during the
 20 construction phase and even the deconstruction phase
 21 20-some years down the road. With the equipment
 22 that's going to need to get in and out of there, yeah,
 23 I agree that absolutely makes more sense to try and
 24 alter the route. That would be the preference, I

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1 guess.
 2 **CHAIRMAN FINNIGAN:** I guess if they wanted
 3 to go on 50 road, they need to upgrade it to, you
 4 know, get their stuff in there.
 5 **MR. BANGERT:** Yeah. I agree.
 6 **CHAIRMAN FINNIGAN:** I know this is not part
 7 of our job, but --
 8 **MR. DICK:** That stipulation has more to it
 9 than maybe meets the eye. The Road Commissioner does
 10 not need to give them an entrance permit until he's
 11 assured that that road is taken care of. If he does,
 12 then he's made a mistake. He will talk to the County
 13 Engineer and work that out.
 14 **MS. TURNER:** Phil, can we just put in there
 15 an entrance permit and road agreement is obtained from
 16 Funks Grove Township? Just add that in there?
 17 **MR. DICK:** No problem.
 18 **CHAIRMAN FINNIGAN:** It seems like it's
 19 important to me too.
 20 **MR. KURITZ:** Doesn't he have, by his
 21 authority, to say that I won't issue an entrance
 22 permit on Road 50. So what other option do they have?
 23 To go to the county highway.
 24 **CHAIRMAN FINNIGAN:** Or upgrade his road.

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1 **MR. KURITZ:** Yeah.
 2 **MR. DICK:** I requested the Applicant to get
 3 in touch with Russ Broadfield, and I give them the
 4 phone number.
 5 **MR. ZIMMERMAN:** And they didn't do it in
 6 advance, right? Since the other road is covered by
 7 Jerry at the Highway Commission, can we add that as
 8 one of the signers?
 9 **MR. DICK:** They would have to get an
 10 entrance permit from the County Highway Department if
 11 they're going to use that road. So that may be
 12 something you would want to put in here: An entrance
 13 permit and perhaps a road use agreement would need to
 14 be obtained from the road authority.
 15 **MS. TURNER:** There you go.
 16 **CHAIRMAN FINNIGAN:** Why don't you put that
 17 on there.
 18 **MS. TURNER:** Then a couple of other things.
 19 This has come up before, and I just want to go on the
 20 record as saying -- they asked about the economic
 21 analysis, about how does it compete to the existing --
 22 that really doesn't come into play for our decision.
 23 That's a landowner's decision; so that doesn't enter
 24 into my decision where that's concerned.

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1 **MR. KURITZ:** The only thing about that,
 2 since we are taking a substantial amount of flat black
 3 out of production for 20 years -- that's one of the
 4 issues that I've had with this onslaught of the solar
 5 farms all of a sudden. We get 2 megawatts of power,
 6 and we take 20 acres out of production. We hear every
 7 time we have a wind farm hearing about how much land
 8 we're taking out of production. One wind turbine
 9 gives us 2 megawatts and doesn't take anywhere close
 10 to 20 acres.
 11 **MR. ZIMMERMAN:** Takes about an acre,
 12 according to the studies and the other things.
 13 **CHAIRMAN FINNIGAN:** I agree with your
 14 concerns, but they are building the soil. It's like
 15 having a pasture that you don't have. I mean, a
 16 farmer can't afford to leave 40 acres of farmland as
 17 pasture ground for 20 years.
 18 When it comes out, if they use the right
 19 treatment, the right legumes or whatever they're going
 20 to put in there, it should build the soil. When it
 21 comes out, it should be more productive than when it
 22 went in, if it's done right.
 23 **MR. KURITZ:** It's kind of like the set-aside
 24 property only maybe pays a little better than the

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1 set-aside program.
 2 **CHAIRMAN FINNIGAN:** Well, and set-aside,
 3 when that came back out, the PIK program years back,
 4 you could see for years and years that it was better
 5 quality soil. I think this would be the same thing.
 6 So you're protecting land for the future generation if
 7 you look at it that way.
 8 **MR. KURITZ:** I'm glad you said that. That
 9 makes more sense then.
 10 **MR. ZIMMERMAN:** I'd like to stipulate that
 11 they use plants underneath that would build the soil,
 12 like you say, legumes or whatever that happens to be.
 13 Can we put that in as a -- you're the farmer. He's
 14 got it in there to your satisfaction?
 15 **CHAIRMAN FINNIGAN:** What do you think,
 16 Brian?
 17 **MR. BANGERT:** NRCS has weighed in on it. On
 18 their recommendation, it's got to be the most suitable
 19 type of seeding mix.
 20 **MR. ZIMMERMAN:** Well, that's ground cover,
 21 and what we're talking about here is 20-plus years of
 22 eventual ground cover that would then build the soil.
 23 **MR. BANGERT:** Yeah. So the stature of the
 24 plant is going to have to be shorter, a grass. If it

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1 included a legume, that would probably be a better --
 2 it would create some balance rather than just strictly
 3 grasses. But, you know, I think the NRCS is a good
 4 source for that information and I think them hearing
 5 what we're having to say about it too. I do think
 6 they'll have a good recommendation for underneath the
 7 turbines.
 8 **MS. TURNER:** Then I think the next item that
 9 we need to address is the decommissioning plan. If in
 10 fact they're saying there's a net benefit to
 11 decommissioning, then how do we come up with a surety
 12 bond for that? Because while, for them, it may be a
 13 net benefit because they have the connections for the
 14 recycling and the selling of that, there would be more
 15 of a cost associated to it if it wasn't a solar
 16 company or a renewable energy company decommissioning
 17 it.
 18 **MR. BANGERT:** We have talked about this
 19 before and addressing an index, a consumer price index
 20 of some sort, that balances out over cost of living
 21 and time.
 22 I think we ordinarily would hear a figure
 23 tonight. And to have that in place, I think that is
 24 something we need to figure out.

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1 **MR. ZIMMERMAN:** Can we ask staff what kinds
 2 of things you would consider to be appropriate in that
 3 regard? Because I think, per turbine, it's 30 grand,
 4 and we usually get more than that. But this is a
 5 different setup.
 6 **MR. DICK:** For those of you who sat in on
 7 the last wind turbine, we kind of went into more
 8 detail with the Ag Mitigation Agreement. They have a
 9 cost of living thing in there too.
 10 I know the Applicant says, unless there's an
 11 actual Ag Mitigation Agreement for solar, they
 12 wouldn't necessarily apply. But if you look at the
 13 language here, it says that the financial assurance
 14 needs to be similar to what is required of wind farms
 15 in the Ag Impact Mitigation Agreement that wind farms
 16 have with the Illinois Department of Agriculture.
 17 So it has after you're 5, after you're 10,
 18 and after you're 15. It has some things in there.
 19 And what we would ask them to do is to present us with
 20 something that is similar to the Ag Mitigation
 21 Agreement that you all approved with the last wind
 22 farm. If they don't do that, then we don't issue a
 23 permit.
 24 **CHAIRMAN FINNIGAN:** How do you know it's

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1 enough?
 2 **MR. DICK:** We don't know it's enough until
 3 they give us some kind of figure, and we'll have to
 4 make some evaluation at that time.
 5 **MS. TURNER:** Phil, that's my exact concern.
 6 What they've been throwing around here on the record
 7 is that there's actually a net benefit to
 8 decommissioning.
 9 So if they're calculating a net benefit to
 10 decommissioning, then that essentially equates to no
 11 surety, no need for surety.
 12 **MR. ZIMMERMAN:** It actually means that we
 13 would give them money. Somebody would give them
 14 money.
 15 **MR. DICK:** We wouldn't necessarily believe
 16 that.
 17 **MS. TURNER:** Okay. I guess my other point
 18 is, one, we would like to see that, and the
 19 decommissioning plan has to be approved by the County
 20 before this would be approved or the application would
 21 be granted, correct?
 22 **MR. DICK:** Before they could get a permit.
 23 **MS. TURNER:** Before they can get a permit.
 24 And two, I would like to say -- and I don't

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1 know where we are legally with this -- but if there is
 2 a mitigation agreement, an AIMA, in the works for
 3 solar sitting on the Governor's desk right now, I
 4 would like just for us to have all of our solar --
 5 especially this one, since it's before us --
 6 grandfathered in to that. Is there a way we can do
 7 that or not?
 8 **MR. ZIMMERMAN:** Usually would be
 9 grandfathered out. So in this case, we would want to
 10 stipulate that it be included in whatever the terms of
 11 the Ag Impact Mitigation Agreement, the AIMA, law is
 12 that is on the books.
 13 **MS. WALLEY:** I think Drake's assessment is
 14 correct. You have to be careful with something that
 15 doesn't exist yet. And we can't go backwards. So any
 16 permit that's been issued has been issued.
 17 And we have to be careful about going
 18 forward because, if it's a condition of the permit
 19 that they sign an AIMA and there's no AIMA to sign,
 20 then there's never going to be a permit. So that's
 21 kind of a difficult thing to ask them to do.
 22 I understand that it's a 99.9% eventuality,
 23 but there's always a chance that it doesn't become
 24 one; so I would be careful with that. I think the

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1 language would have to be such that, whether or not
 2 the application is granted or denied as a whole by the
 3 ZBA -- you have to be very specific in how you craft
 4 that language so that, if it never comes into
 5 existence, it's not the singular barrier to obtaining
 6 the permit.
 7 **MS. TURNER:** Okay. So what about if we
 8 wrote in there -- because in the current agreement
 9 that we would have them sign, it's "similar to the
 10 wind farm." At year 10, we get to ask for a new
 11 assessment of costs associated with that.
 12 Can we write in that, at that point, you
 13 know, we enter into existing AIMA agreements or not?
 14 I'm trying to figure out some way to have consistency,
 15 and I don't know that there is.
 16 **MS. WALLEY:** Again, I guess the best way you
 17 could write that if you chose to -- because the
 18 decommissioning plan is separate from the AIMA, since
 19 there's no state AIMA right now for solar farms --
 20 would be that, at the 10-year mark, the County has the
 21 option to review state requirements for the
 22 decommissioning plan. But again, that would be
 23 separate and apart from how we've treated the previous
 24 solar farms; and again, that's assuming that there is

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1 a solar AIMA to tender or to deal with at that
 2 particular juncture.
 3 **MR. KURITZ:** How about, if it becomes law
 4 before the permit is issued, they are required to
 5 participate or sign it?
 6 **MS. WALLEY:** You can put any stipulation
 7 that you feel is important and necessary to your
 8 recommendation to the County Board. But again, what
 9 the Governor signs may or may not be eventually what
 10 we believe the AIMA to be at this time.
 11 Again, I understand that we all believe it
 12 to be an eventuality, but things happen. Legislation
 13 can die on a desk; so there is no guarantee that the
 14 solar AIMA that is passed is the solar AIMA that we
 15 are envisioning at this particular moment.
 16 I am not trying to discourage you in any
 17 way. I just want to make sure you understand the
 18 potential legal ramification of putting that in there
 19 or trying to craft that language.
 20 **MS. TURNER:** Okay. So currently, Phil, we
 21 have them sign essentially a decommissioning plan that
 22 looks a lot like the decommissioning plan with the
 23 wind farms, correct?
 24 What I'm hearing is that's the best thing to

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1 do at this point, and we can't do anything about the
 2 fact that we're ahead of a state AIMA. That would
 3 probably be our best bet legally. That way we'd know
 4 what we're entering into.
 5 It's not a question.
 6 **MR. BANGERT:** Let me get this straight. We
 7 don't need to worry about how deep they remove conduit
 8 or pilings or any of that because it's going to be
 9 included in the AIMA to our satisfaction, or do we
 10 need to specify some of these stipulations now?
 11 **MS. WALLEY:** Are you asking me?
 12 **MR. BANGERT:** Anyone with the answer.
 13 **MS. WALLEY:** Okay. So the AIMA -- and I
 14 know you were involved in the wind farm hearings. The
 15 AIMA is a State document that's held solely with the
 16 State. We don't have an AIMA. We're not controlled
 17 by the AIMA. That is something that an Applicant
 18 would be accountable to the State.
 19 We have the decommissioning plan. So what
 20 the County would be interested in in terms of what
 21 they're doing with the property would be in that
 22 decommissioning plan.
 23 So if you're looking for a specific
 24 requirement, it would be in that plan; and I think

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1 Phil had indicated earlier that -- and Ms. Turner had
 2 indicated the same -- that the decommissioning plan is
 3 modeled after the decommissioning plan or similar to
 4 what is required for a wind farm, which is again
 5 modeled after the State AIMA. While they are not
 6 exactly the same, they are sort of cousins, so to
 7 speak; but they're not identical.
 8 Does that answer your question?
 9 **MR. BANGERT:** Yeah, I think so.
 10 **MR. ZIMMERMAN:** I'd be up for including the
 11 AIMA by reference. If it's already been passed by
 12 both the House and the Senate and it's on the
 13 Governor's desk, I think it's close enough and in a
 14 sufficiently hashed-out state that we could include it
 15 by reference, if somebody wants to say "if the
 16 Governor signs it."
 17 I would be up for putting the AIMA in there
 18 right now as it stands. Doesn't mean you'd have
 19 something that's going to be relevant.
 20 **CHAIRMAN FINNIGAN:** If you listened to what
 21 they just said, it's already in there. It's
 22 interjected into this in our county plan. It's like
 23 they are in wind farms. So you're using the AIMA plan
 24 but not referencing it by name.

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1 **MR. ZIMMERMAN:** And not the new one.
 2 **CHAIRMAN FINNIGAN:** Not the new one. We
 3 don't know what the new one is. But we said it was
 4 okay for wind farms.
 5 **MR. ZIMMERMAN:** Okay. I'm fine with that.
 6 **CHAIRMAN FINNIGAN:** I almost think we've got
 7 what we need without going any further, but I'm only
 8 one person.
 9 **MR. KURITZ:** I agree with you. I think the
 10 key word was "assume," and we know what assume does.
 11 **MR. ZIMMERMAN:** On the fire break, Brian, I
 12 think your point is right on for having a fire break
 13 in there.
 14 If they burn the prairie or something
 15 happened and the prairie burns, it's a really intense
 16 fire. If they don't have their property set back far
 17 enough from that, on the one side, it would be really
 18 nice for us to do that setback for them because it
 19 would destroy a lot of equipment. But if they can't
 20 figure that out, I think that's their own financial
 21 risk.
 22 **MR. BANGERT:** Looking at the site plan, I
 23 think, if there was a fire break, it would be on the
 24 border, which would remove most of the pollinator.

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1 **MR. ZIMMERMAN:** The fire break would be
 2 between their property and the neighbors?
 3 **MR. BANGERT:** Yeah. I mean, we would be
 4 trying to keep it from either going in or coming out
 5 of that property. Now, if it happens inside the
 6 property --
 7 **MR. ZIMMERMAN:** That's their problem.
 8 **MR. BANGERT:** Yeah. And there's going to be
 9 a chain gate; so they're going to have to --
 10 **MR. ZIMMERMAN:** Is there much of an issue
 11 with fire going from one property to another? If they
 12 burn according to standards, they've got a fire truck
 13 and some other fire dispersion mitigation out there,
 14 assuming they're doing it intentionally.
 15 **MR. BANGERT:** Well, they'll have to have an
 16 EPA permit on top of it to do that.
 17 I think it's a beneficial idea to plop a
 18 pollinator program in the middle of this farmland. As
 19 far as the fire break, I think if there was a way to
 20 incorporate one, I think it could be beneficial; but
 21 I'm not someone that can design one. That would be
 22 another one for NRCS. They do install fire breaks
 23 into some of their programs.
 24 **CHAIRMAN FINNIGAN:** Are the pollinators

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1 usually mowed after August 15 or something like that,
 2 like regular set-aside ground, or do they not do
 3 anything with it at any time?
 4 **MR. BANGERT:** It's changing; but where I've
 5 seen, you're not supposed to mow it.
 6 **CHAIRMAN FINNIGAN:** It won't come back --
 7 it's not something that would come back stronger if
 8 it's mowed for the next year?
 9 **MR. BANGERT:** Aesthetically, we all want to
 10 mow that from time to time. But, yeah, from what I've
 11 seen, they don't want you to mow it.
 12 **CHAIRMAN FINNIGAN:** Are we at the point of
 13 doing something, or are we still talking?
 14 **MS. TURNER:** I think we can go through the
 15 standards now.
 16 (No response.)
 17 **MR. ZIMMERMAN:** I move that we accept Case
 18 Number SU-18-11 with the stipulations that we've
 19 already gone through, which is, number one, that the
 20 road entrance agreement is added to whatever the
 21 wording was for the road, the County Road.
 22 **MR. KURITZ:** Second.
 23 **MR. DICK:** You meant an entrance permit and
 24 road use agreement from the road authority?

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1 **MR. ZIMMERMAN:** There you go.
 2 **CHAIRMAN FINNIGAN:** Okay. We have a motion
 3 by Zimmerman and a second by Kuritz. Can we have a
 4 roll call vote?
 5 **MR. DICK:** Bangert?
 6 **MR. BANGERT:** Yes.
 7 **MR. DICK:** Kuritz?
 8 **MR. KURITZ:** Yes.
 9 **MR. DICK:** Turner?
 10 **MS. TURNER:** Yes.
 11 **MR. DICK:** Zimmerman?
 12 **MR. ZIMMERMAN:** Yes.
 13 **MR. DICK:** Finnigan?
 14 **MR. FINNIGAN:** Yes.
 15 **MR. DICK:** Carlton?
 16 **MS. CARLTON:** Yes.
 17 **CHAIRMAN FINNIGAN:** I think it passed. Phil
 18 takes over from here.
 19 **MR. DICK:** This goes to the County Board for
 20 a final decision on the third Tuesday of this month
 21 with the recommendation that the Zoning Board just
 22 made.
 23 It will be on the consent agenda, although
 24 it's likely to be pulled since it's an important

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1 discussion. One of the County Board members of the
 2 administration would need to pull it off the consent
 3 agenda. But it will be heard at a meeting in this
 4 room at 9:00 in the morning.
 5
 6 (Meeting adjourned at 9:10 p.m.)
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1 STATE OF ILLINOIS)
2 COUNTY OF DeWITT) ss

3

4 I, BRENDA ZEITLER, CRR, RPR, and CSR,
5 License No. 084-004062, in and for the state of
6 Illinois, do hereby certify that the foregoing meeting
7 was taken on the 5th day of June, 2018, before the
8 McLean County Zoning Board of Appeals and that said
9 meeting was taken down in stenograph notes, afterwards
10 reduced to typewriting by me, and that this transcript
11 is a true and accurate transcription of the testimony.

12 I do hereby certify that I am a
13 disinterested person in this cause of action, that I
14 am not a relative of any party or any attorney of
15 record in this cause or an attorney for any party
16 herein or otherwise interested in the event of this
17 action, and that I am not in the employ of the
18 attorneys for either party.

19 IN WITNESS WHEREOF, I have hereunto set my hand
20 this 17th day of June, 2018.

21

22

23 Brenda Zeitler, RPR, CRR, CSR

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31

<p style="text-align: center;">A</p>	<p>Adequate (2) 9:8;10:2 adjacent (1) 32:4 adjourned (1) 80:6 administration (1) 80:2 adopt (1) 62:3 advance (1) 65:6 aerial (1) 4:17 aesthetically (2) 19:6;78:9 affirmed (1) 13:11 afford (1) 66:16 Ag (6) 12:15;69:8,11,15,20; 71:11 again (12) 13:23;17:20;23:15; 46:14;52:16;61:19; 72:16,22,24;73:8,11; 75:4 Agency (2) 8:13;13:3 agenda (2) 79:23;80:3 ago (1) 32:23 agree (4) 63:23;64:5;66:13; 76:9 agreeable (1) 47:14 Agreement (27) 8:7;12:16;47:4,9,20, 23;48:5,11;58:21,23; 59:19;61:24;62:1,4; 63:4,13;64:15;65:13; 69:8,11,15,21;71:2,11; 72:8;78:20,24 agreements (3) 47:8;59:2;72:13 agricultural (9) 3:4;6:9;8:6;19:20; 30:2,10,14;57:21;59:2 agriculture (8) 4:15;5:20;8:8;10:16; 11:15;12:17;30:3; 69:16 ahead (4) 43:1,17;54:11;74:2 AIMA (24) 59:4,6,14;71:2,11,19, 19;72:13,18,19;73:1, 10,14,14;74:2,9,13,15, 16,17;75:5,11,17,23 allow (1)</p>	<p>3:3 allowing (1) 14:10 allows (1) 7:1 all-weather (1) 43:24 almost (1) 76:6 along (3) 26:1;44:12;62:7 alter (1) 63:24 Although (2) 11:5;79:23 aluminum (3) 20:15;56:16,20 always (1) 71:23 Amber (2) 13:12,21 amended (1) 3:19 Ameren (1) 45:11 amount (7) 16:18;24:4;25:20; 28:7;33:23;44:5;66:2 analysis (3) 53:1,11;65:21 analyzed (1) 53:20 Anna (4) 56:1,4;61:17,20 annually (1) 53:13 anti-reflective (3) 7:8;8:24;12:5 apart (3) 21:23;22:4;72:23 apiece (2) 22:22;38:12 apparently (1) 42:12 appears (1) 10:6 Appendix (1) 37:1 applicable (1) 10:21 Applicant (20) 3:12;6:16;7:4,10,13, 15,24;8:9;9:18,21; 10:7;11:6,24;12:10,18, 21;13:1;65:2;69:10; 74:17 application (13) 3:2,15,22;6:21;7:23; 11:20;13:5;23:4,25;7; 59:9,12;70:20;72:2 applications (1) 34:6 apply (5)</p>	<p>6:11;36:6;57:8;60:1; 69:12 appreciate (4) 14:10;35:19;62:21, 22 appropriate (2) 7:5;69:2 approval (2) 49:23;50:21 approve (4) 48:3;50:7,15,18 approved (6) 46:7;47:22;59:22; 69:21;70:19,20 approves (1) 60:2 approving (1) 50:22 approximately (7) 9:11,13;14:17;19:15, 18;53:13,17 area (6) 4:10;7:18;8:18; 25:15;34:21;52:11 areas (2) 10:18;61:4 argue (1) 47:17 Armington (1) 54:13 around (12) 22:8;26:20,24;27:11; 31:4;32:5;39:14;42:4; 44:17;45:12;63:15; 70:6 array (3) 27:24;30:7;34:21 arrays (2) 8:23;21:11 Article (1) 13:6 aside (4) 4:23;5:2,17;51:10 assessment (5) 4:1;6:3;11:1;71:13; 72:11 assigned (1) 52:2 assisting (1) 11:2 associated (2) 68:15;72:11 assume (3) 40:13;76:10,10 assuming (4) 38:11;42:1;72:24; 77:14 assurance (8) 7:23;8:2,5;12:12,14; 58:19;62:5;69:13 assured (1) 64:11 audience (4)</p>	<p>43:8;55:24;61:10; 62:12 August (1) 78:1 authority (3) 64:21;65:14;78:24 availability (2) 42:15,16 available (1) 37:11 Avenue (1) 13:16 avoid (8) 21:2,3,21;22:13,14; 44:2,4;47:17 awaiting (1) 59:16 aware (1) 26:14 away (4) 10:17;28:15;38:4; 44:7 axis (1) 7:1</p> <hr/> <p style="text-align: center;">B</p> <hr/> <p>Back (14) 28:3;32:4;42:9; 45:12;46:8;54:8,10; 58:4;60:9;67:3,3; 76:16;78:6,7 backwards (1) 71:15 balance (1) 68:2 balances (1) 68:20 BANGERT (25) 24:3,10;25:6,11,16; 26:10;39:18;47:10; 63:12,18;64:5;67:17, 23;68:18;74:6,12;75:9; 76:22;77:3,8,15;78:4, 9;79:5,6 barely (1) 45:8 barrier (1) 72:5 barriers (1) 29:17 based (5) 37:9,24;58:8,8,10 baseline (1) 62:4 bases (1) 61:3 Basically (5) 24:7,8;29:18;55:6; 60:3 basis (5) 33:7,8,12;38:2;39:23 beautiful (1)</p>
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