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11	Avenue, Bloomington, Illinois.)		10		
12			11		
13	Hearing held, pursuant to notice, on Tuesday,		12		
14	October 2, 2018 at the hour of 7:45 p.m. at		13		
15	Government Center, 115 E. Washington Street,		14		
16	Bloomington, Illinois.		15		
17			16		
18			17		
19			18		
20			19		
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	REPORTER: LAUREL A. PATKES, CSR #084-001340		23		
		2			4
1	BOARD MEMBERS:		1	<u>PROCEEDINGS</u>	
2	DRAKE ZIMMERMAN, Acting Chair		2	ACTING CHAIR ZIMMERMAN: So now we	
3	MICHAEL KURITZ		3	will hear Case Number SU-18-22, so we're going down	
4	BRIAN BANGERT		4	in descending number.	
5	CHRIS CARLTON		5	Would the applicant like to	
6	MARY BETH TAYLOR		6	come forward?	
7			7	I guess the applicant is	
8	PHIL DICK		8	TerraNavigator, LLC.	
9	Secretary		9	Mr. Dick, would you please	
10	SAMANTHA WALLEY		10	introduce the case?	
11	Assistant State's Attorney		11	MR. DICK: This is Case Number	
12	LUKE HOHULIN		12	SU-18-22, application of TerraNavigator, LLC for a	
13	Assistant County Engineer		13	special use to allow a solar power generating	
14			14	facility in the Agriculture District on property	
15	APPEARANCES:		15	that is in the west half of Section 7, Township 23	
16	CHRISTIAN DICK.		16	North, Range 2 East of the Third Principal Meridian	
17	888 Prospect Street		17	in the; Southeast Quarter of Section 12, Township 23	
18	La Jolla, California 92037		18	North, Range 1 East of the Third Principal Meridian	
19			19	and located in Bloomington and Dale Townships at	
20	on behalf of the Applicant.		20	2105 West Oakland Avenue, Bloomington, Illinois.	
21			21	Public notice of this hearing	
22			22	was published in the Pantagraph on September 15,	
23			23	2018 as provided by law and all the other required	

<p style="text-align: center;">5</p> <p>1 notifications have been made, and the applicant has 2 paid the publication cost.</p> <p>3 I will go through the aerial 4 photos at this time and the other photos of the 5 property.</p> <p>6 This is the zoning map, but it 7 shows where this property is located to the west of 8 I-74/I-55 bypass around the west side of 9 Bloomington, and it's along Oakland Avenue.</p> <p>10 And this is a blow-up of that 11 property.</p> <p>12 And this is Oakland Avenue 13 facing from the driveway toward the south and the 14 east.</p> <p>15 And then this is up toward the 16 west and the south on Oakland Avenue.</p> <p>17 And this is kind of a photo up 18 over the old closed landfill.</p> <p>19 And this is from the top of 20 the landfill looking down on one of the roads.</p> <p>21 And this is along the top of 22 it, and that's a monitoring well there to the left, 23 and you can see how the ground is sloped. We're at</p>	<p style="text-align: center;">7</p> <p>1 And a communication from the 2 applicant regarding decommissioning on the property, 3 and as you probably realize, they wouldn't be using 4 steel posts to go into the landfill because they 5 can't penetrate the cap, so they have a ballast 6 racking system that sets on top of it, and this kind 7 of explains how that's done.</p> <p>8 This is Board Exhibit 1 which 9 shows where this property is located in the 10 Agriculture District.</p> <p>11 The property is approximately 12 a hundred acres. It has 1,700 feet of frontage on 13 the west side of West Oakland Avenue. The 14 topography is relatively flat above the cap of this 15 landfill. The drainage is to the south, and there's 16 grass on the top of the landfill cap, and the public 17 road, Oakland Avenue, is a city-maintained road 18 19 feet in width. It is surrounded by Agriculture 19 District on all sides. To the north is a landfill 20 and a wooded area. To the south is crop production 21 and a wooded area. To the east is crop production 22 and a sewage treatment plant, and to the west is 23 crop production.</p>
<p style="text-align: center;">6</p> <p>1 the top of the closed landfill, and then there's 2 farm ground in the rear, so this is a significant 3 elevation.</p> <p>4 And then this is another side 5 of it going down off the top of the landfill.</p> <p>6 This is along the side facing 7 Interstate 74/55 and the lake that's to the north 8 and east.</p> <p>9 Again, an aerial photo. 10 I won't pass the application 11 since they were submitted to you earlier, and I have 12 distributed a site plan to the Zoning Board, if you 13 want one of these too.</p> <p>14 We have a communication from 15 the Illinois Department of Natural Resources which I 16 will pass, a communication from the health 17 department which I will pass.</p> <p>18 There is not a communication 19 for a Land Evaluation and Site Assessment because 20 this property was not in crop production.</p> <p>21 And a communication from 22 TerraNavigator with a letter that they had sent to 23 Historic Preservation.</p>	<p style="text-align: center;">8</p> <p>1 The analysis of the seven 2 standards is as follows:</p> <p>3 The proposed special use will 4 not be detrimental to or endanger the health, 5 safety, morals, comfort or welfare of the public, 6 and this standard is met. The applicant proposes to 7 establish a 10-megawatt solar power generating 8 facility on this property which will meet all the 9 county setback requirements and use standards for a 10 solar power generating facility.</p> <p>11 The application indicates that 12 this facility will contain ballasted racking systems 13 that contain rows of photovoltaic modules mounted on 14 ballast blocks in accordance with the load-bearing 15 capacity of the landfill cap.</p> <p>16 According to the application, 17 the panels will be designed and located in 18 accordance with the existing landfill gas collection 19 and monitoring systems.</p> <p>20 The location of the racking 21 systems will ensure access to the gas collection and 22 monitoring systems and ensure no penetration or 23 damage is done to the landfill cap. The modules</p>

<p style="text-align: center;">9</p> <p>1 will be fixed, tilted to the south, and they will be 2 approximately six and a half feet tall and will be 3 designed with an anti-reflective coating.</p> <p>4 The applicant submitted an 5 EcoCat communication from the Illinois Department of 6 Natural Resources which indicates that there is no 7 record of state-listed threatened or endangered 8 species, Illinois Natural Area Inventory sites, 9 dedicated Illinois Nature Preserves or registered 10 Land and Water Reserves in the vicinity of the 11 project location.</p> <p>12 A decommissioning plan that 13 includes an Agricultural Impact Mitigation Agreement 14 with the Illinois Department of Agriculture and 15 financial assurance acceptable to the county need to 16 be provided.</p> <p>17 A contact person for the 18 applicant will need to be kept on file with the 19 Department of Building and Zoning for 20 issues/complaints upon completion of the facility.</p> <p>21 The applicant has submitted a 22 letter to the Illinois Historic Preservation Agency.</p> <p>23 2. The proposed special use</p>	<p style="text-align: center;">11</p> <p>1 landfill will continue to be desirable for such use. 2 4. Adequate utilities, access 3 roads, drainage or other necessary facilities have 4 been or will be provided, and this standard is met.</p> <p>5 The property has approximately 6 1,700 feet of frontage on the west side of West 7 Oakland Avenue. The Bloomington Township Fire 8 District will provide fire protection for the 9 subject property. Pre-development drainage patterns 10 will be retained as much as possible. The applicant 11 will need to develop the solar farm compatible with 12 any closure plans of the landfill approved by the 13 Illinois Environmental Protection Agency. The 14 applicant has obtained a signoff from the County 15 Health Department.</p> <p>16 5. Adequate measures have 17 been and will be taken to provide ingress or egress 18 designed to minimize traffic congestion in the 19 public streets, and this standard is met. It 20 appears that safe site distance can be provided at 21 the proposed entrance. The applicant has been in 22 communication with the City of Bloomington engineer 23 about obtaining an entrance permit.</p>
<p style="text-align: center;">10</p> <p>1 will not be injurious to the use and enjoyment of 2 other property in the vicinity for purposes already 3 permitted or substantially diminish property values 4 in the immediate area, and this standard is met.</p> <p>5 Nearby land use for crop 6 production, a wastewater treatment plant, and a 7 landfill will continue to be desirable for such use 8 although the adjacent landfill has since closed as 9 of when I wrote this, which was in the end of 10 September.</p> <p>11 The panels will be designed 12 and located in accordance with the existing landfill 13 gas collection and monitoring systems. Groundcover 14 that encourages pollination recommended by the 15 McLean County Soil and Water Conservation District 16 will need to be installed, and the solar arrays will 17 be designed with an anti-reflective coating.</p> <p>18 3. The proposed special use 19 will not impede the orderly development of the 20 surrounding property for uses permitted in the 21 district. And this standard is met.</p> <p>22 Nearby land used for crop 23 production, wastewater treatment plant and a</p>	<p style="text-align: center;">12</p> <p>1 6. The establishment, 2 maintenance and operation of the special use will be 3 in conformance with the intent of the district in 4 which the special use is proposed to be located, and 5 this standard is met.</p> <p>6 The preamble states "Provide 7 for the location and govern the establishment and 8 operation of land uses which are compatible with 9 agriculture and are such a nature that their 10 location away from residential, commercial and 11 industrial areas is most desirable."</p> <p>12 7. The proposed special use 13 in all other respects conforms to the applicable 14 regulations of the district in which it is located, 15 and this standard is met.</p> <p>16 In conclusion, staff 17 recommends that this application meets all the 18 standards of the Zoning Ordinance provided 19 compliance with the following stipulations: 20 1) An entrance permit shall 21 be obtained from the City of Bloomington before a 22 construction permit is issued. 23 2) The applicant shall</p>

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1 complete consultation with the Illinois Historic
2 Preservation Agency before a construction permit is
3 issued.

4 3) The solar panels shall be
5 installed with an anti-reflective coating.

6 4) Groundcover that
7 encourages pollination that is recommended by the
8 McLean County Soil and Water Conservation District
9 needs to be installed.

10 5) Contact person for the
11 applicant will need to be kept on file with the
12 Department of Building and Zoning for
13 issues/complaints upon completion of the facility.

14 6) As a condition of
15 receiving a permit from the County, the company must
16 pay the cost of hiring an Illinois registered
17 professional engineer to provide a certified
18 estimate of decommissioning costs.

19 The company shall provide
20 decommissioning security financing for the estimated
21 cost of decommissioning in the amount determined by
22 the engineer or \$250,000, which is \$25,000 per
23 megawatt, whichever is greater.

14

1 Security financing must be in
2 the form of an irrevocable letter of credit or a
3 cash escrow unless the County Board in its sole
4 discretion agrees to accept a performance bond.

5 The decommissioning cost
6 estimate will be reviewed and revised by the
7 facility owner at least after the tenth year of
8 operation and each five years thereafter.

9 7) The company must provide
10 an Agricultural Impact Mitigation Agreement signed
11 by the company and the Illinois Department of
12 Agriculture prior to the issuance of a permit to
13 construct from the County and must certify that it
14 will comply with all of the terms of the agreement.

15 Nothing in the Agricultural
16 Impact Mitigation Agreement will preclude the County
17 from establishing any standards that exceed those
18 contained in the agreement.

19 8) Development shall follow
20 the plans and documents submitted with the
21 application and with Zoning Regulations including
22 Article VI, Section 350-43.00(3) (Use Standards for
23 a solar power generating facility).

15

1 And that concludes my report.

2 ACTING CHAIR ZIMMERMAN: Thank you
3 very much, Mr. Dick.

4 Would the applicant like to be
5 sworn in or affirmed?

6 MR. DICK: I can affirm.
7 (Whereupon Christian Dick
8 affirmed at this point.)

9 ACTING CHAIR ZIMMERMAN: Would you
10 please state your name and address for the record?

11 MR. DICK: My name is Christian
12 Dick. I'm the senior director of project
13 development for TerraNavigator. Our address is 888
14 Prospect Street, La Jolla, California 92037.

15 ACTING CHAIR ZIMMERMAN: For the
16 record, are you any relation to Mr. Phil Dick who is
17 the county administrator here?

18 MR. DICK: None.

19 ACTING CHAIR ZIMMERMAN: Please
20 proceed.

21 NARRATIVE TESTIMONY
22 BY CHRISTIAN DICK:
23 So I have put together a

16

1 relatively brief presentation here. I may move
2 through some of these items as they both have been
3 covered by the introduction but also obviously in
4 the previous cases as you are undoubtedly becoming
5 more and more familiar with what is this next
6 emergence of the renewable energy economy in
7 Illinois.

8 With that, I may advance maybe
9 a couple slides.

10 I think it's worth doing just
11 a quick introduction of our firm and why it is that
12 we are focusing on brownfields and landfills.

13 Our company has more than 20
14 years of experience of providing environmental
15 management services for corporations and public
16 entities managing sites just like this.

17 Many of our clients have been
18 asking us how can we repurpose these properties for
19 a higher and better use, and so our tag line is we
20 take things that are worthless to worthwhile, and we
21 combine that with more than 50 years of project
22 development experience and many transactions, in the
23 billions, of providing all of the necessary

<p style="text-align: center;">17</p> <p>1 resources and experience to be able to deliver on 2 the kind of project that I'm proposing here today, 3 but we do that as a long-term steward and 4 knowledgeable partner in the adaptive reuse of these 5 brownfields.</p> <p>6 I'll touch on this very 7 quickly. It's one opportunity where I will probably 8 draw a little bit of difference from the earlier 9 case. This project and this site is well-suited for 10 what is called the brownfield solicitation. The 11 previous projects were approaching what was called 12 the adjustable block program.</p> <p>13 The brownfield solicitation is 14 a carveout specifically for utility scale solar 15 projects that are sited on brownfield properties. 16 They have to be under an active regulatory process, 17 of which this project is, and has been obviously 18 managed as a closed landfill.</p> <p>19 Our vision for the site is to 20 maximize the economic development through a 21 ballasted clean energy project. That will provide 22 clean energy obviously to the residents of McLean 23 County and for Ameren customers, but we do that with</p>	<p style="text-align: center;">19</p> <p>1 As was introduced, the project 2 will be obligated through the state bill to 3 implement a pollinator habitat. That will obviously 4 also help in managing the vegetation growth and the 5 production of the project as you've heard.</p> <p>6 But all of this can be done in 7 and around the existing infrastructure which our 8 company has experience in doing in installing 9 ballasted racking systems that sit entirely above 10 grade.</p> <p>11 So why is the McLean landfill 12 a little bit different? First, it's adaptive reuse 13 of brownfields. This is a previously disturbed 14 property as opposed to using more productive 15 farmland or other uses within the county.</p> <p>16 Second, it has a smaller 17 footprint, and the reason it does is because we're 18 using a different technical approach of a fixed tilt 19 design. It's easier and quieter to install. 20 There's no pile driving. Obviously we're entirely 21 above grade, and there's no use of central 22 inverters. We use what are called string inverters 23 which are a little bit larger than a three-ring</p>
<p style="text-align: center;">18</p> <p>1 the hopes that we can maximize the economic 2 development which I will get to here in maybe the 3 next slide.</p> <p>4 So the project benefits really 5 come in twofold. One is economic development 6 through long-term lease revenues. This is an 7 infrastructure project. That's a really important 8 distinction. It is not a commercial development, 9 and so it is really recession-proof because what it 10 does is generate electricity and provides that 11 electricity over decades. We see a usable life of 12 35 years in which that will ultimately result in 13 real property tax revenues, part-time/full-time 14 construction, as well as procurement during the O&M 15 program that will magnify the economic development 16 within McLean County.</p> <p>17 Secondly, the second benefits 18 are in the property enhancement. Through the 19 adaptive reuse of brownfields and landfills, we can 20 provide greater management and overall production of 21 clean energy from the sites as well as provide 22 enhanced security as a result of the improvements 23 that come with the project.</p>	<p style="text-align: center;">20</p> <p>1 binder, but all of this equipment is installed above 2 grade which allows for easier annual inspections as 3 well as an easier decommissioning and removal of the 4 system at the end of the life.</p> <p>5 But you don't have any 6 conflicts with underground utilities or tile drains 7 as well as benefit from existing infrastructure, 8 perimeter roads, entrances, slopes that provide the 9 necessary setbacks for the project.</p> <p>10 So I will go through this 11 relatively quickly. I think this has already been 12 somewhat introduced, but this is the ultimate 13 boundary of the survey for our project site with a 14 preliminary design layout on top.</p> <p>15 This was passed around so I'll 16 be relatively quick here, but this is fundamentally 17 what is different about our project.</p> <p>18 The project is installed on 19 ballast blocks that provide the necessary structural 20 engineering to allow for the necessary wind and snow 21 loading while not having to penetrate the ground.</p> <p>22 As you'll see from that 23 section, the lowest point is typically between 24 to</p>

<p style="text-align: center;">21</p> <p>1 36 inches off the ground, and the back side is about 2 six and a half feet tall so it ultimately has a very 3 low profile and again is a static system. 4 The collection system is all 5 connected to the racking system and ultimately goes 6 through a series of raceways, again, all above 7 ground, and then collects in a raceway system back 8 to the high voltage gear that will step up and 9 connect to the distribution line that's along West 10 Oakland Avenue. 11 So I will move through these 12 because in many ways the introduction already 13 accomplished this. You know, I think the summary of 14 what I would provide to you is that this is 15 obviously an adaptive reuse of a previously 16 disturbed property that's going to provide clean 17 energy to the residents of McLean and to Illinois. 18 We think this is a logical and beneficial reuse of a 19 property just like this. 20 I think of most importance, 21 the project will require no extension of public 22 utilities. It's a way in which obviously it can 23 result in real property tax revenues without taxing</p>	<p style="text-align: center;">23</p> <p>1 Agriculture. It ultimately requires that the 2 agreement and the surety, which can come in the form 3 of a bond which I will come back to in a minute, is 4 posted 45 days before construction starts. 5 So it's just an important 6 milestone to understand as you put that in 7 relationship to obviously conditions of approval 8 that the county may consider for its own 9 decommissioning requirements that, one, it would be 10 done 45 days prior, so it will likely be done before 11 the project is pulling the building permit. 12 And secondly, there is a 13 mechanism by which, through the agreement that the 14 surety would be posted through a bond. 15 So similar to the earlier 16 applicant, I would ask that the County consider in 17 our application the opportunity to use a bond as the 18 necessary evidence that obviously can be 19 demonstrated at the point of pulling the building 20 permit to give you the necessary assurance that that 21 surety has been put in place. 22 So our recommendation is, you 23 know, we are obviously still in the process of</p>
<p style="text-align: center;">22</p> <p>1 the roads and schools and other public 2 infrastructure the way that a commercial development 3 would. 4 So project decommissioning, 5 very quickly, I will tell you that this site has 6 three levels of regulation requiring the 7 decommissioning of the project. This was I think 8 part of our initial testimony that we share with our 9 permit, but it's important to know that beyond other 10 applications that you're probably reviewing, we also 11 have to comply with the Illinois EPA. There are 12 obviously post closing obligations for management 13 and monitoring of the site which this project will 14 have to be compatibly designed and allow for, so in 15 addition, that will obviously obligate us to 16 decommission the project after the life of the 17 system. 18 But secondly is the 19 Illinois -- let me just go back one real quick -- is 20 the State Bill 2591. It's an important one. It's 21 been covered briefly here, but it is an obligation 22 for all projects that are on agricultural land to 23 sign an agreement with the Department of</p>	<p style="text-align: center;">24</p> <p>1 refining the system size, but the decommissioning 2 report will be done by a third-party engineer that 3 does both a manpower analysis and cost for removal 4 of the system. 5 TerraNavigator will be 6 responsible for the cost for that report, and our 7 recommendation is that that is submitted with the 8 building plan set for your review and approval. 9 In conjunction, that will also 10 ensure that that report reflects the actual 11 quantities and labor and materials associated with 12 the advance design set that we will be submitting 13 for building plan review. 14 Lastly, it will include a 15 summary of the materials that have recyclable value. 16 You know, there are extensive materials within these 17 projects that will have recyclable value -- steel, 18 copper, aluminum, and the high voltage equipment 19 just to name a few. 20 Fire and safety, typically our 21 best management practices is to engage, you know, in 22 this case it would be Bloomington Fire Department as 23 we meet what is called mechanical completion where</p>

<p style="text-align: center;">25</p> <p>1 the project is entirely installed but is not 2 operational and at which point -- that's usually two 3 to four weeks from the point where you will turn the 4 system on -- we will invite and have a detailed site 5 visit and review of not only the O&M documents but 6 also the system and the access for EMS to be able to 7 access the site as well.</p> <p>8 So this is just a good 9 representation of the type of signage and the Knox 10 Box that would ultimately be coordinated through the 11 building plan set in which the fire department will 12 know and have access to the site at all times.</p> <p>13 And with that, I'd take 14 questions if there's anything that might require any 15 further clarification.</p> <p>16 ACTING CHAIR ZIMMERMAN: Any 17 questions from the staff?</p> <p>18 MR. DICK: No.</p> <p>19 ACTING CHAIR ZIMMERMAN: Any 20 questions from the board?</p> <p>21 I have a question concerning 22 the fence around it.</p> <p>23 Is there a fence around the</p>	<p style="text-align: center;">27</p> <p>1 ACTING CHAIR ZIMMERMAN: Okay. 2 Affirm or swear in?</p> <p>3 MR. NORD: Swear in. 4 (Whereupon the witness was sworn 5 by Acting Chair Zimmerman)</p> <p>6 ACTING CHAIR ZIMMERMAN: Please 7 proceed.</p> <p>8</p> <p>9 NARRATIVE TESTIMONY 10 BY PAUL NORD: 11 Okay. We took over the 12 landfill that the City of Bloomington had in 1964. 13 We took that over initially on a contract, and then 14 we ended up buying that landfill.</p> <p>15 That site of the landfill 16 where the city had was on ground that my 17 grandparents had originally, and it was then sold to 18 McGrath Sand and Gravel.</p> <p>19 We as a family live in that 20 whole area out there. When my father who is a 21 physician here decided he wanted to see that land 22 made a little bit better and especially the landfill 23 regulations made better because there were rats and</p>
<p style="text-align: center;">26</p> <p>1 property right now?</p> <p>2 MR. DICK: No, I do not believe so. 3 So both for the protection of our project finance as 4 well as the safety and requirements to meet National 5 Electric Code, we will have to install a fence.</p> <p>6 ACTING CHAIR ZIMMERMAN: Would 7 there be any questions from anyone in the audience? 8 Would anyone from the audience 9 like to submit testimony?</p> <p>10 Yes, we have a hand. Please 11 come forward and have a seat.</p> <p>12 On the lower right hand panel 13 of that box, you'll see a little icon. If you touch 14 that and then if you'd give your name and address, 15 please.</p> <p>16 MR. NORD: My name is Paul Nord, 17 2507 West Washington Street, Bloomington, Illinois. 18 Our family started McLean 19 County Landfill in --</p> <p>20 ACTING CHAIR ZIMMERMAN: Hold it. 21 You're about to give evidence. May I swear you in 22 or affirm you, sir?</p> <p>23 MR. NORD: Yes.</p>	<p style="text-align: center;">28</p> <p>1 mice and all kinds of things going on at the 2 landfill that time.</p> <p>3 We took it over and we ran it 4 until that landfill site was filled and closed at 5 the end of the 1990s.</p> <p>6 After that, we had closure on 7 that from the EPA. They gave us a final closure, 8 which final closure said that we had to take care of 9 that landfill site for ten years, and then we could 10 walk away from it and do nothing else. We did not 11 need to mow it. We did not need to take care of any 12 type of drainage problems or anything. We could 13 just leave.</p> <p>14 Well, we all live out around 15 the area, and we decided that we really needed to 16 have something long term to keep the landfill site 17 where we are and where they're talking about putting 18 on the solar, to keep that such that any type of 19 erosion and that was taken care of, any type of 20 breaching of the cap where you might get leachate 21 formation coming, which is when the garbage 22 decomposes, that those things would be taken care 23 of.</p>

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1 And we know that when there's
 2 landfills that they produce gas as things start to
 3 rot and decompose. There's a gas collection system
 4 on top of the landfill at this point. It makes an
 5 ideal site also though to have solar collection.
 6 The amount of monies that are brought back into the
 7 landfill are essentially minimal. It's somewhere
 8 less than \$20,000 a year which is used mainly for
 9 maintenance because there are no other you might say
 10 expense things for the landfill because it does not
 11 take garbage and doesn't do anything.

12 This is not including any of
 13 the ground where the present landfill is that is now
 14 closed to accepting garbage. They are not really
 15 closed as they're putting in a landfill gas
 16 collection system, so really, when they say a closed
 17 landfill, a lot of people think closed means you
 18 walk away from it, and that's not what it is.

19 In our case, we had to watch
 20 for ten years. They have to watch for 30 years, and
 21 then they have some other things they have to follow
 22 up with after that.

23 But we'd like to support this

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1 in that this is something that's not going to impact
 2 any of the farming community. It's not really going
 3 to affect any of the neighbors around, and that's
 4 basically what our feelings are on that.

5 ACTING CHAIR ZIMMERMAN: Would
 6 there be any questions from staff?

7 MR. DICK: Mr. Nord, are you still
 8 a part owner of this property?

9 MR. NORD: This property is owned
 10 by McLean County landfill of which we are the
 11 remaining part of the property. Our mom and dad
 12 were president, vice president, treasurer and
 13 secretary.

14 Because of legal liability
 15 factors, we did not have anybody else listed as
 16 president, vice president or anything like that.
 17 However, we have continued to take care of the
 18 property as we tried to at one time get the City of
 19 Bloomington to take it over, and they thought they'd
 20 put ballparks and that, but then when they saw the
 21 future liability of it, they decided maybe they
 22 didn't want it.

23 So instead of us abandoning

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1 the property, we as a family have been taking care
 2 of the mowing and taking care of all of the
 3 maintenance of the property and plan to continue to
 4 do that.

5 MR. DICK: Thank you.

6 ACTING CHAIR ZIMMERMAN: Sir, what
 7 do you do with the gas that comes off that? You
 8 have gas collectors at the top.

9 MR. NORD: That gas collection goes
 10 to a major facility here in town. It's methane gas,
 11 and it's scrubbed, and then they use it.

12 ACTING CHAIR ZIMMERMAN: Any
 13 questions from the board at this point?

14 MS. TAYLOR: Just a comment.
 15 It sounds like a really
 16 interesting use of this kind of project to alternate
 17 uses of land.

18 ACTING CHAIR ZIMMERMAN: Would
 19 there be any questions from the audience for
 20 Mr. Nord here?

21 There being none, thank you
 22 very much. You'll have the right to make a closing
 23 statement here in a second, so if you'd just stay

32

1 there.

2 Would anybody else in the
 3 audience like to provide testimony in the case?

4 There being none, shall we
 5 hear closing statements?

6 Mr. Nord, please.

7 MR. NORD: Only closing statement
 8 is that this is one solar site that is not going to
 9 affect any farm property. It can only enhance the
 10 community, and the fact that it is up high above the
 11 other surrounding ground should make things such as
 12 reflection almost be a nil factor.

13 ACTING CHAIR ZIMMERMAN: Thank you
 14 very much. Appreciate that.

15 Mr. Dick, the other Mr. Dick,
 16 would you like to make a closing statement?

17 MR. DICK: No. I think I've
 18 covered most of what I wanted to cover tonight, so
 19 unless there's any other questions, I do not.

20 ACTING CHAIR ZIMMERMAN: Thank you
 21 very much.

22 This concludes this part of
 23 the hearing.

33

1 So now we will discuss the

2 case based on the standards.

3 So does anyone from the board

4 have any questions or statements?

5 MR. KURITZ: I think I actually

6 like this a little better than the ones that keep

7 taking crop production out. Even though it's going

8 to enhance the soil over the years, this one takes

9 some property that was pretty much useless and puts

10 it back into productive use.

11 ACTING CHAIR ZIMMERMAN: All right.

12 Shall we go over the standards?

13 So Standard No. 1, detrimental

14 to the health, safety, morals, comfort.

15 It seems like it's taking what

16 would be at least perceived as a potential hazardous

17 area and turning it into something that would create

18 energy.

19 No. 2. It will not be

20 injurious to the health, use, enjoyment of the

21 property.

22 MR. KURITZ: I agree with staff's

23 conclusion.

34

1 ACTING CHAIR ZIMMERMAN: No. 3.

2 The orderly development.

3 I think we agree with staff's

4 conclusion.

5 No. 4. The utilities. That

6 standard has been met as well.

7 No. 5. Provide ingress and

8 egress. It's right on Oakland Avenue there.

9 MR. KURITZ: It's met.

10 ACTING CHAIR ZIMMERMAN: Met.

11 And No. 6. It will be in

12 conformance with the intent of the district.

13 Well, there's really no intent

14 of the district, but this is probably making a

15 better use out of the land than it has been, so it's

16 a real opportunity there.

17 And No. 7?

18 So at this point, I would

19 entertain more discussion or a motion.

20 MR. KURITZ: I move to recommend

21 approval of SU-18-22 with the stipulations presented

22 by staff.

23 MR. BANGERT: Second.

35

1 ACTING CHAIR ZIMMERMAN: It's been

2 moved by Kuritz and seconded by Bangert that we

3 accept Case Number SU--18-22 with the stipulations.

4 Mr. Dick, would you please

5 take a roll call vote?

6 MR. DICK: Bangert?

7 MR. BANGERT: Yes.

8 MR. DICK: Kuritz?

9 MR. KURITZ: Yes.

10 MR. DICK: Zimmerman?

11 ACTING CHAIR ZIMMERMAN: Yes.

12 MR. DICK: Carlton?

13 MS. CARLTON: Yes.

14 MR. DICK: Taylor?

15 MS. TAYLOR: Yes.

16 ACTING CHAIR ZIMMERMAN: A

17 unanimous vote for this.

18 We'll have Mr. Dick give you

19 the next steps in your process.

20 MR. DICK: It goes to the County

21 Board for a final decision on the third Tuesday of

22 the month at 9 o'clock in the morning, and it will

23 be on the consent agenda unless one of the County

36

1 Board members chooses to take it off. Then it would

2 be voted on separately, but otherwise, the final

3 decision will take place on that date.

4 You can attend. You wouldn't

5 be allowed to stay anything if you did attend. If

6 you want to call in at noon or so after the meeting,

7 you can find out what happened.

8 Thank you.

9 ACTING CHAIR ZIMMERMAN: Thank you

10 very much.

11 Is there any further business

12 before the board this evening?

13 There being none, I call this

14 meeting to a close.

15 (Whereupon the foregoing

16 proceedings adjourned at 8:20

17 p.m.)

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1 STATE OF ILLINOIS)
)SS.
2 COUNTY OF SANGAMON)

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CERTIFICATE

I, Laurel A. Patkes, Certified Shorthand Reporter in and for said County and State, do hereby certify that I reported in shorthand the foregoing proceedings and that the foregoing is a true and correct transcript of my shorthand notes so taken as aforesaid.

I further certify that I am in no way associated with or related to any of the parties or attorneys involved herein, nor am I financially interested in this action.

Dated October 5, 2018.

Laurel A. Patkes
Certified Shorthand Reporter

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