

DRAFT COPY - SUBJECT TO COMMITTEE APPROVAL

BOARD: TAZEWELL COUNTY

COMMITTEE: LAND USE

DATE/TIME: Tuesday, April 8, 2025, at 5:00 p.m.

PRESENT: Chairman K. Russell Crawford, Mark Goddard, Vice Chairman Jon Hopkins, Greg Longfellow, Eric Schmidgall, Eric Stahl and Joe Woodrow

ABSENT: Jay Hall

STAFF PRESENT: Jaclynn Workman, Community Development Administrator; Melissa Kreiter, Chief Deputy; and Matt Drake, Assistant States Attorney

OTHERS PRESENT: Marty Helfers, Elton Rocke

CALL TO ORDER: Chairman Crawford called the meeting to Order at 5:00 p.m.

MINUTES: None

PUBLIC COMMENT: Marty Helfers appeared regarding the proposed Cincinnati CSG 1 and 2 Solar projects located 900' from his home. Mr. Helfers wanted to advise the committee the petitioner's representative; Paul Irby had not yet made contact with him. Mr. Helfers reiterated his concern about a potential property value decrease as well as the petitioner proposing 2 separate projects rather than one to circumvent using skilled trades. Mr. Helfers stated he was insulted by Mr. Irby's inaction, especially as he was employed with a solar development company and requested the committee table the request until he makes the contact as he agreed to at the public hearing.

Elton Rocke, CO2 Pipeline Opposition appeared to give an update regarding the CO2 pipeline topic. Mr. Rocke advised there was a lot of lobbying happening at the State and in D.C. Mr. Rocke stated there was recent data showing the Mohomet aquifer was a million and a half years old and that leaks into the aquifer were a huge concern.

Member Goddard discussed President Trump's Executive Order regarding ceasing coal plant closings and what affect it would have on renewable energy.

Member Stahl stated he had spoken with Dave Koehler regarding the process of converting CO2 to into aviation fuel.

Member Woodrow questioned the proximity of the CO2 pipeline to the proposed Cincinnati Solar farm.

CASES:
LU-25-03, Case 25-09-S
Cincinnati CSG 1, LLC

The petition of Cincinnati CSG 1, LLC for a for a Special Use to allow the construction of a 5 Mega Watt Commercial Solar Farm in an A-1 Agriculture Preservation District.

Following discussion (see joint discussion below), moved by Stahl, seconded by Schmidgall to recommend approval of LU-25-03, Case No. 25-09-S to the Tazewell County Board.

Following further discussion (see joint discussion below), moved by Stahl to Table LU-25-03, Case No. 25-09-S. **Motion failed due to lack of second.**

Following further discussion (see joint discussion below), moved by Hopkins, seconded by Longfellow to recommend tabling of LU-25-03, Case No. 25-09-S pending confirmation that the Petitioner had made contact with Mr. Helfers and provided information regarding the company's liability insurance policy in the event of a tornadic event. **Motion failed due to lack of second.**

Following further discussion (see joint discussion below), moved by Hopkins, seconded by Longfellow to recommend approval of LU-25-03, Case No. 25-09-S requesting the Petitioner make contact with Mr. Helfers and to provide information regarding the company's liability insurance policy in the event of a tornadic event to the members of the County Board members prior to the County Board meeting..

On voice vote, **motion declared carried.**

1 – Nay, Schmidgall

LU-25-04, Case 25-10-S Cincinnati CSG 2, LLC

The petition of Cincinnati CSG 2, LLC for a for a Special Use to allow the construction of a 5 Mega Watt Commercial Solar Farm in an A-1 Agriculture Preservation District.

Following discussion (see joint discussion below), moved by Stahl, seconded by Schmidgall to recommend approval of LU-25-04, Case No. 25-10-S to the Tazewell County Board.

Following further discussion (see joint discussion below), moved by Stahl to Table LU-25-04, Case No. 25-10-S. **Motion failed due to lack of second.**

Following further discussion (see joint discussion below), moved by Hopkins, seconded by Longfellow to recommend tabling of LU-25-04, Case No. 25-10-S pending confirmation the Petitioner had made contact with Mr. Helfers and provided information regarding the companies liability insurance policy in the event of a tornadic event. **Motion failed due to lack of second.**

Following further discussion (see joint discussion below), moved by Hopkins, seconded by Longfellow to recommend approval of LU-25-04, Case No. 25-10-S requesting the Petitioner make contact with Mr. Helfers and to provide information regarding the company's liability insurance policy in the event of a tornadic event to the members of the County Board members prior to the County Board meeting.

On voice vote, **motion declared carried.**

1 – Nay, Schmidgall

Joint Discussion Recap of LU-25-03, Case 25-09-S & LU-25-04, Case 25-10-S

Member Stahl stated he felt the ZBA did not push hard enough to address the nearest homeowner's concerns.

Member Hopkins stated he had questioned the company's insurance coverage in the event of a tornado.

Assistant States Attorney Matt Drake stated that State law does not require liability in the event of a natural disaster. Mr. Drake said the Petitioner was questioned if they would be willing to provide coverage.

Wherein Member Stahl motioned to table.

Member Goddard stated that the Petitioner not contacting one homeowner was being arbitrary and was capricious to withhold an approval based upon the State law and recent lawsuits filed again the County.

Attorney Drake stated that State law stated that a decision must be rendered within 30 days from the date of the public hearing.

Member Longfellow questioned notification requirements for adjacent property owners.

Member Hopkins motioned to table, pending confirmation the Petitioner had contacted Mr. Helfers and provided information regarding the company's liability insurance policy in the event of a tornadic event.

Chairman Crawford advised the Committee that he and a former Land Use member, Greg Sinn had questioned who and how glass would be cleaned in the event of a tornado, and had tried to condition cases to require responsiveness in clean up efforts, however Attorney Drake had advised that the County can not require petitioners to provide relief that was not included in State law.

Attorney Drake stated normally cases requiring additional information would be referred back to ZBA, however, given the State law regarding a decision within 30 days, this would not be a viable option.

Member Goddard stated that insurance would never write a policy that would cover an act of God that impacted property miles away.

Attorney Drake stated statute clearly lays out conditions that can be required but states that the county cannot be more restrictive. Mr. Drake read from the statute and noted that it did not address insurance requirements and advised that the County would be pushing the envelope to require more than basic insurance regulations and would be subjected to a potential lawsuit.

Chairman Crawford stated he agreed with Attorney Drake and Member Goddard and that the petitioner had fulfilled what they needed to do in order to file the request. Crawford said the county cannot make changes to the requirements that were retroactive to the time of filing. Crawford added that if additional information is requested, the case would have to be referred back to the ZBA, thereby violating state law regarding rendering a decision within 30 days.

Wherein Member Hopkins made an amended motion to approve, requesting the Petitioner make contact with Mr. Helfers and provide information regarding the companies liability insurance policy in the event of a tornadic event to the members of the County Board members..

**LU-25-05, Case 25-11-Z
Nickolas Ruzicka**

The petition of Nickolas Ruzicka for a Map Amendment to the Official Deer Creek Township Zoning Map of Tazewell County to change the zoning classification of property from an A-1 Agriculture Preservation Zoning District to an A-2 Agriculture Zoning District.

Member Hopkins stated he felt this development was a great thing and was fully supportive.

Following discussion, moved by Hopkins, seconded by Stahl to recommend approval to the Tazewell County Board.

On voice vote, **motion declared carried.**

DISCUSSION

Chickens

Administrator Workman stated the code provided that a Special Use request be required for anyone wishing to obtain chickens in an R-1 Low Density Residential district. Ms. Workman said she was proposing an amendment that would allow chickens with certain criteria or with an administrative review. Ms. Workman added that roosters would still be prohibited and a lot of the regulations in the Code would remain.

Member Stahl stated a lot of the municipalities have allowed chickens with a controlling ordinance.

Chairman Crawford stated he would like to see the process streamlined.

Motion by Goddard, seconded by Schmidgall to direct the Administrator to draft an amendment.

On voice vote, **motion declared carried.**

Legal Issues for Solar

Chairman Crawford stated he was a member of UCCI, which had 89 Illinois counties in the membership. Mr. Crawford read a question proposed to UCCI and a response that was given by County Administrator Deluhery regarding insurance. Mr. Crawford stated that our insurance agent for the County, who happened to be very knowledgeable, and the former Vice Chairman of the County Board assisted with the response given.

CO2 Code

Administrator Workman wanted to remind the Committee that the Zoning Code can only regulate the location for CO2 injection wells. Ms. Workman stated that there were several other agencies that handle the pipeline regulations as well as the injection wells themselves.

Subcommittee Creation

Chairman Crawford stated he was given a request to form a subcommittee for Wind and Solar. Mr. Crawford stated he was not ready to create a subcommittee today, however, he may in the future. Mr. Crawford said there was a task force with UCCI and IAC jointly that had done a lot of work drafting Senate and House legislation to allow the counties to govern their county. Mr. Crawford added he would like to monitor what the task force is doing and will report back to the committee later if he changes his mind.

STAFF REPORT:

Administrator Workman presented the Committee a Staff Report detailing revenues, expenses and other office related activity for the month and year to date.

This item was for discussion purposes only and no action was taken.

NEXT MEETING:

The next meeting of the Land Use Committee will be held on Tuesday, May 13, 2025 at 5:00 p.m.

RECESS:

There being no further business, the meeting recessed at 6:07p.m.

Jaclynn Workman, Secretary
(Transcribed by Melissa Kreiter, Chief Deputy)

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