

LAND USE COMMITTEE MINUTES

Virtual Meeting

DATE OF MEETING: April 12, 2021 at 5:00 p.m. County Building

MEMBERS PRESENT: Terry Ferguson – Chair and Claro Carter. Melonie Tilley, Jay Wickenhauser and Aaron Kammeyer attended virtually. Also, present, Dee Rentmeister, County Administrator and Aaron Paque, Zoning Administrator.

MEMBERS ABSENT: None

SUMMARY OF DISCUSSION:

- Daniel Sheehan presented project overview of Triple Black Diamond solar project that his company is planning in DeWitt County. The solar project consists of approximately 1700 acres southwest of Weldon. Discussion and questions from committee members.
- Terry Husted spoke to the committee about expanding the moratorium for wind energy to include solar development.
- Don Waddell spoke to the committee about the curtailment agreement between Enel and the National Weather Service. Discussion on reviewing this with the zoning administrator and having the condition brought to the full board for discussion. Ferguson recommended going to the State's Attorney to see where the county is on this matter. Believes that there are still issues that are not complete and/or need clarification.
- Motion by Tilley, 2nd by Kammeyer to approve last month's minutes. Roll call vote as follows: Aye – Ferguson, Tilley, Kammeyer, Wickenhauser, and Carter. Nay – none. Motion carried.
- Motion by Carter, 2nd by Wickenhauser to approve the claim. Roll call vote as follows: Aye – Ferguson, Tilley, Kammeyer, Wickenhauser, and Carter. Nay – none. Motion carried.
- Discussion on the permit issued to Alta Farms laydown yard. Aaron Paque stated that on March 23 a certificate of compliance and building permit was issued for a laydown yard along with a temporary batch plant as outlined in the special use permit. Kammeyer asked if all the conditions had been met. Paque indicated that all the conditions had not been met but all requirements for the laydown yard have been met. Permits will not be issued if a condition applies. Paque also informed the committee that he is working closely with the engineering firm hired to assist in the permitting process for the wind project. Paque also stated the Enel has a portal online that shows the progress of the wind project. Going forward the committee would like to be informed as soon as something happens related to the Alta Wind Farm project. Carter stated that he wants the committee/board to have more of an input in the process. Kammeyer and Ferguson asked for clear transparency of all future construction/activities in relation to the wind project. Discussion on how to better

communicate with the board on activities. Aaron Paque indicated that he would send out emails to the board as soon as something new occurs with the project. Ferguson asked Aaron Paque to contact McLean and Logan counties to see how they communicated information on their wind projects to county board and communities.

- Monthly report reviewed and discussed. Discussion concerning 155.130(E) and the apparent error during the printing of the Code of Ordinances. This section before codification read “Where a special use permit has been issued pursuant to the provisions of this ordinance, such permit may become null and void by action of the County Board upon recommendation of the Planning Commission unless work thereon commences within one year of the date of granting such special use. A special use permit shall be deemed to authorize only one particular use and may be cancelled by the County Board upon recommendation of the Planning Commission if that use ceases for more than twelve (12) consecutive months.” After codification, the following portion was omitted – “unless work thereon commences”. Dee explained to the committee that she had informed Ferguson that she believed there was an error in this section the day following the board meeting last month. A search of the county board minutes, and the text amendments submitted/acted on by the Planning Commission and ZBA showed that the text from the original zoning was never approved for amendment. After the search was completed Ferguson was again notified.
- Continued discussion about communicating project status and activities to all members not just the chairman. Kammeyer asked for a plan of action be brought to the county board this month. Aaron Paque indicated that he would send emails out to the entire board notifying all when there are updates to anything related to the wind project.
- Ferguson stated that he would notify the sheriff’s department of the increase in semi traffic to the laydown yard area and ask that they be vigilant to this area.
- Ferguson informed the committee that he would be bringing forward Joe Witte and Mark Nunnery forward to fill unexpired terms on the Regional Planning Commission.
- Motion by Tilley, 2nd by Kammeyer to adjourn at 6:48 p.m. Voice vote, motion carried.

COMMITTEE ACTION:

- Approve last month’s minutes.
- Approve the claim.

RECOMMENDATIONS TO THE FULL BOARD: None

DATE OF NEXT MEETING: May 10, 2021 at 5:00 p.m.

**AGENDA FOR THE
LAND USE COMMITTEE**

Date and Time of Meeting: April 12th, 2021 at 5:00 p.m. Virtually

1. Call Meeting to Order
2. Roll Call
3. Persons Wishing to Address the Committee/ Public Comment (If requesting action, also list below in section 4)
 - A. Daniel Sheehan – Swift Current Presentation
 - B.
4. Items for Discussion and Possible Action
 - A. Approve March 2021 minutes
 - B. Claims
 - C. Permit issued to Alta Farms Wind Project II, LLC for a laydown yard.
 - D. Approval and monitoring of laydown yard construction to ensure compliance.
5. Items for Discussion Only (No Action Requested)
 - A. Monthly Report Zoning
 - B.
6. Executive Session:
 - A.

Posted: April 8th, 2021 at 3:30 p.m.

By: Aaron Paque

Join Zoom Meeting

<https://zoom.us/j/4327127633?pwd=RlZoc3QlYVFiWjlvVVBNOdRjaUJFZz09>

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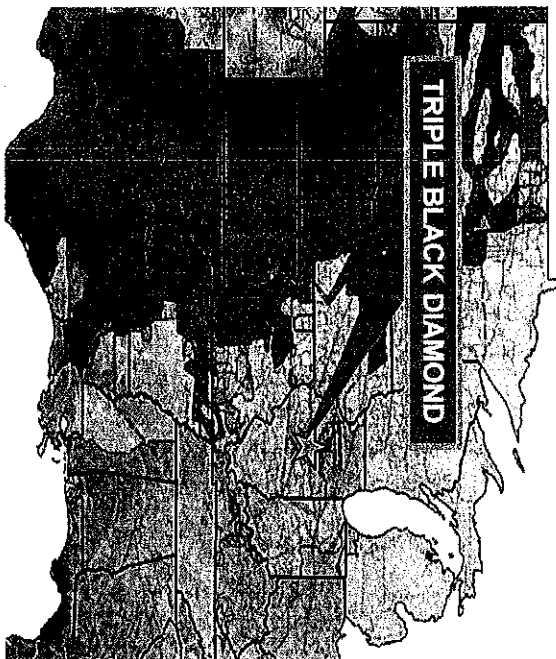
Meeting ID: 432 712 7633

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Triple Black Diamond—Project Overview

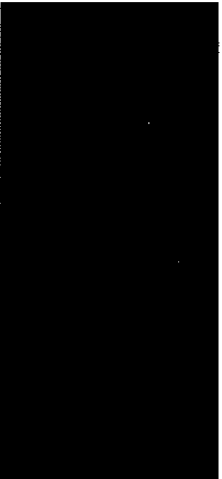
Project Highlights



- Favorable interconnection into 345KV line that traverses the site with minimal network upgrades anticipated
- Strong relationships with local landowners and full site control nearly complete
- Positioned to deliver to MISO's Illinois Hub or Ameren Load Zone, which has good liquidity and a variety of offtake options available

Project Profile

Expected Capacity	<ul style="list-style-type: none"> • 250 MW(ac)
Location / RTO	<ul style="list-style-type: none"> • DeWitt County, IL / MISO
Net Capacity Factor	<ul style="list-style-type: none"> • 23.8% per AWS/UL (Bifacial with Single Axis Tracker) • Solar Monitoring System installed onsite in November 2019
Land	<ul style="list-style-type: none"> • ~83% secure for project area via lease options • Remaining parcel is in advanced negotiation and expected to be complete Q4 2020
Permit(s) / Development Studies	<ul style="list-style-type: none"> • Project will require a Conditional Use Permit from DeWitt County, a 90-day process with a 90 day appeal window • Field studies for wildlife, wetlands, and cultural resources to begin Q2 2021 • POI into Ameren's Goose Creek to Maroa 345KV line which traverses the site
Interconnection	<ul style="list-style-type: none"> • Project entered the MISO queue in June 2020 (Queue number J1840)
Targeted NTP/COD	<ul style="list-style-type: none"> • NTP: Q4 2022 • COD: Q4 2023



3 Triple Black Diamond

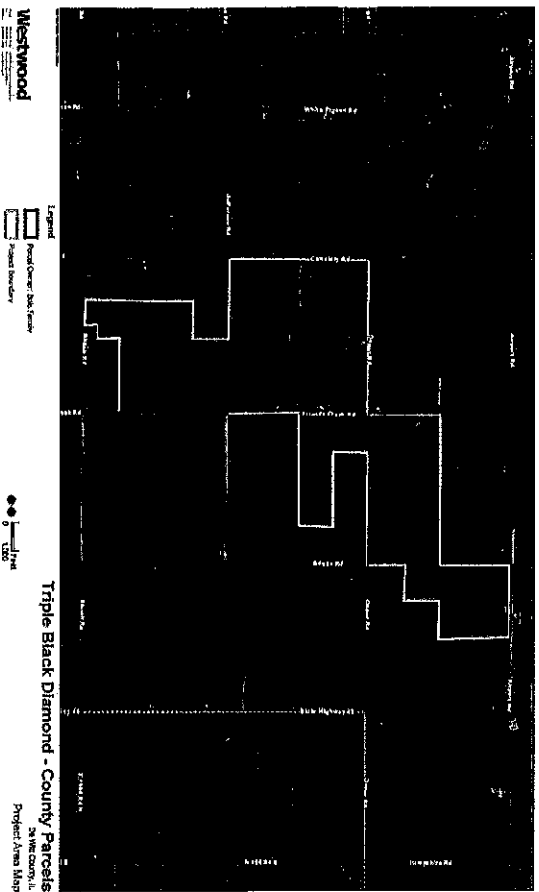
Triple Black Diamond—Real Property

Project Site

- Triple Black Diamond is located in southeastern DeWitt County, Illinois, adjacent to the town of Weldon and approximately 10 miles from Clinton
- The land is primarily agricultural in nature, with corn and soybean fields predominating
- The project area encompasses ~1,700 acres of private land and is ~83% secure via lease agreement with fewer than 5 landowners; parcel to complete remaining land and path to the POI is in advanced negotiation and expected to be executed in Q4 2020

Lease Terms

Triple Diamond Real Property Terms		
Lease or Purchase Option Structure	Parameter	
Total Land Targeted for Project Operations	Acres	1,700
Current Leased Land	Acres	1,385
Current Purchased Land	Acres	25
Additional Acreage needed for Project Operations	Acres	290
Target Acreage for Further Optimization	Acres	0
ROW/ POI Secured	Yes or No	No
Tenor of Operating Period	Yes	50
Payment Structure	Parameter	
Operating Rent	\$/acre esc %	\$1,275 esc. 2.5%
Purchase Price	\$ / Weighted / Acres	\$25,000



Triple Black Diamond—Permitting Matrix

Consideration	Description	Remaining Steps & Risk Assessment
County/Special Use Permit	<ul style="list-style-type: none"> • Triple Black Diamond will require a Conditional Use Permit from DeWitt County 	<ul style="list-style-type: none"> • File permit application with DeWitt County in Q3 2021 • County permitting process is a 90-day process, which is followed by a 90-day appeal window
Endangered Species	<ul style="list-style-type: none"> • Triple Black Diamond will complete desktop and field studies to ensure the project has minimal impact on sensitive species 	<ul style="list-style-type: none"> • SCE will initiate field surveys for state and federal threatened and endangered species in Q2 2021
Historic Preservation	<ul style="list-style-type: none"> • Desktop and field surveys for cultural and historic resources will be completed at the site • Phase 2 surveys not expected to be required 	<ul style="list-style-type: none"> • Field surveys will be initiated in Q2 2021 • Land has been extensively farmed, and no cultural and historic resources are expected to be present on site
Wetlands	<ul style="list-style-type: none"> • SCE will engage WEST to complete a wetlands delineation for the project 	<ul style="list-style-type: none"> • Wetlands surveys will be initiated in Q2 2021 • Project will be designed to keep impact below 0.5 acres for Nationwide Permit, or below 0.1 acres to avoid having to notify U.S. Army Corps of Engineers
Road Use Agreement	<ul style="list-style-type: none"> • A RUA will be negotiated with the applicable counties 	<ul style="list-style-type: none"> • RUA negotiation to occur in 2022 once special use permit is received and project design is more advanced • Minimal road upgrades anticipated to be required

Triple Black Diamond—Interconnection

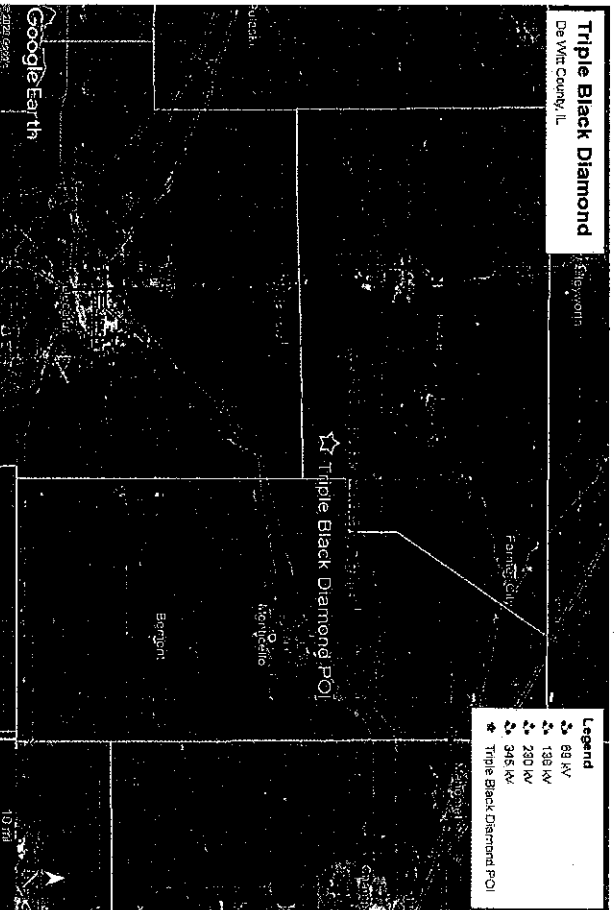
Interconnection Overview

- The Point of Interconnect will be a midline tap of Ameren's Goose Creek to Maroa 345KV transmission line that traverses the site
- Triple Black Diamond entered the MISO queue in June 2020 and is queue position J1840
- The DPP-2020 study cycle is scheduled to begin in March 2021, with the GIA scheduled to be executed in Q3 2022
- There is sufficient time to complete the interconnection process within the 100% ITC window without pursuing a Provisional GIA

Interconnection Timeline

Milestone	Date
DPP 1 Completed	Q3 2021
DPP 2 Completed	Q4 2021
GIA executed	Q3 2022
Construction Completed on Direct Connection Facilities	Q3 2023
In-Service Date	Q4 2023

Point of Interconnection



MISO Interconnection Costs

Category	Amount (\$ millions)
Anticipated Interconnection Fees	
Direct Connection Costs	~\$9.0
Network Upgrades	~\$5.0 ⁽¹⁾
Total Interconnection Cost	~\$14.0

LAZARD

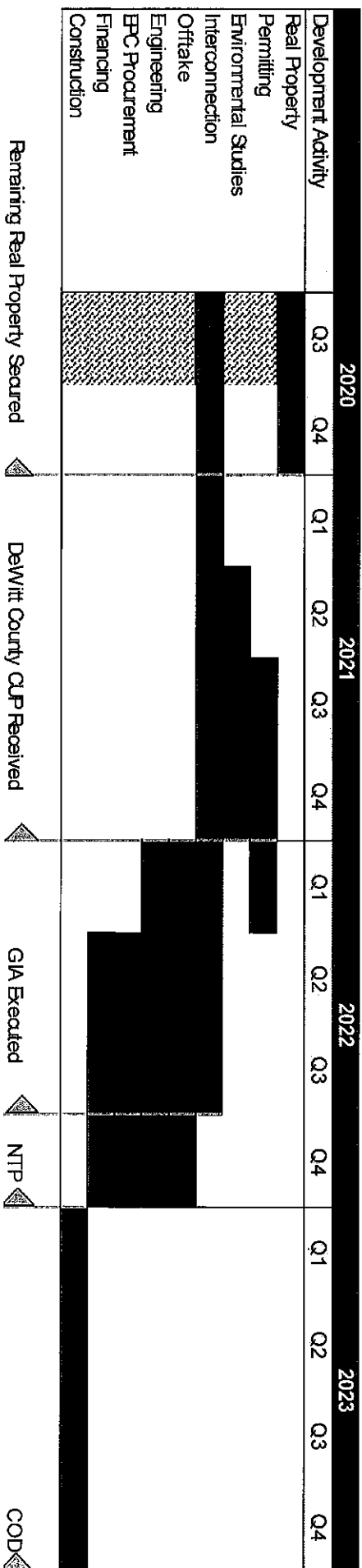
Source: Company management

⁽¹⁾ The Project is expected to fund \$2.0 million of the network upgrade cost with Ameren

Corporate
Capital Markets
Group

funding the remaining \$3.0 million and recovering the cost over a 20-year period.

Triple Black Diamond—Project Schedule





Zoning and Planning

March 2021
Issue # 2

Monthly Zoning Report

Zoning Department Monthly updates

Alta Wind Farm Project
Claims, Permitting,
Variances and Special Use

Regional Planning Commission

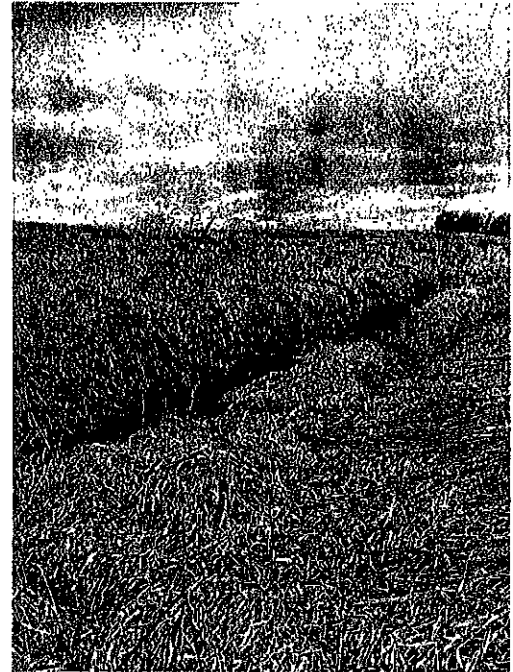
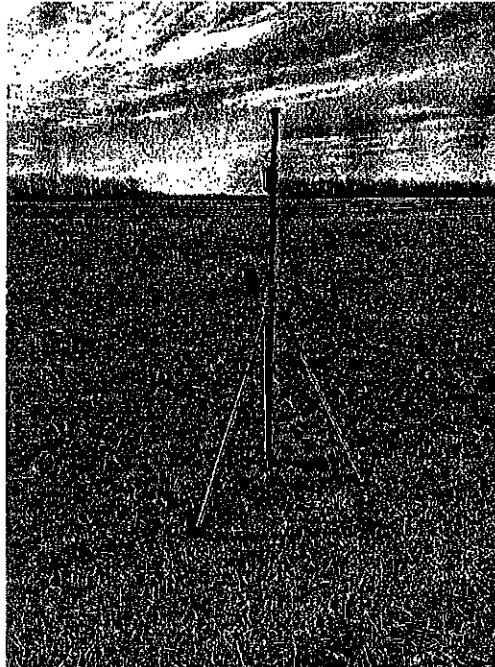
Vacancy's, Text change
Discussion, 155.130(E)
vote on null and void,
upcoming expectations

Zoning Board of Appeals

Special Use S-253-2021

Land Use Committee

Monthly Zoning Report

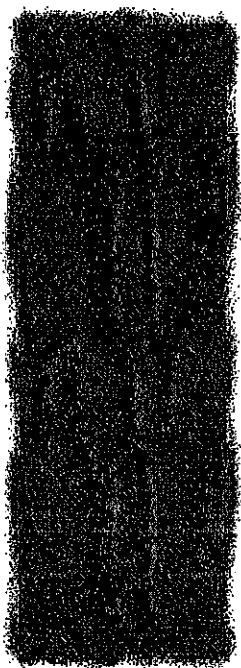


March 2021 Report

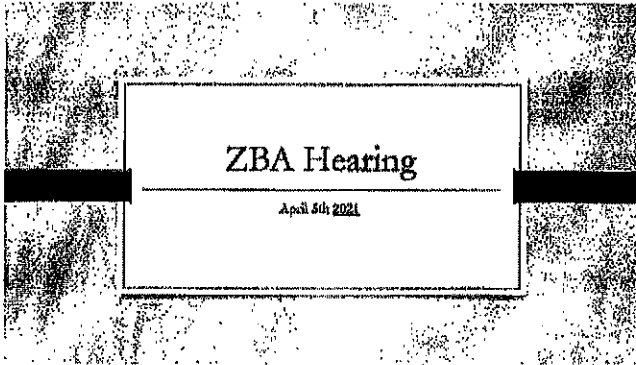
March has been showing the beginning of construction projects starting to roll in. 7 have come in for the month of March. No New residences for the month of March. The Alta Farms Projects Laydown Yard has been approved by the issuance of a certificate of zoning compliance per 155.008(E). The complaint portal and form are up and running on the Zoning Page. The project is still under review and will have more to report in the upcoming months.

155.130(E) initially brought forward to the board by Mr. Porter during a county board meeting prompted an internal review as it was thought to be incorrect. The review had shown an error by a publishing company previously hired by the county. Below is how the ordinance should have read.

(Original Text) Where a special use permit has been issued pursuant to the provisions of this ordinance, such permit may become null and void by action of the County Board upon recommendation of the Planning Commission unless work thereon commences within one year of the date of granting such special use. A special use permit shall be deemed to authorize only one particular use and may be cancelled by the County Board upon recommendation of the Planning Commission if that use ceases for more than twelve (12) consecutive months.



Monthly Zoning Report



Zoning Board of Appeals

March the Zoning Board of Appeals did not hold a hearing. However, the special use case that was forwarded from the Planning Commission has been voted on the 5th of April 2021. The Vote to recommend approval to the county board passed 7-0. Two Variances have been submitted for the hearing on the 3rd of May 2021.

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Regional Planning Commission

Meeting 3-16-2021

The Planning Commission had voted 4-3 not to recommend 155.130(E) to null and void the Alta Farms Special use permit.

The Planning Commission voted 7-0 recommending s-253-2021 for approval. S-253-2021 requests to have travel trailers and mobile homes on parcel 12-10-380-022.

The Planning Commission by consensus agrees to consider as a future text amendment an addition to 155.130 to give the zoning administrator discretion as to whether a special use permit is complete before forwarding the case to the Planning Commission.

The Planning Commission currently Has two vacancies. Chairman David Steward and member Bob Thomas have resigned from their positions.

Claims

One claim is brought before the committee.

Fuel Charge from the Highway Department of \$26.49

DeWitt County Highway Department

Activity Detail Report By Account For Product

Date Range From: 01/30/2021 12:00:00AM To: 01/31/2021 11:59:00PM

Date	Trans #	Exp	Vehicle	Driver	Driver Name	Order	Order	Price	Qty	Amount
Assigned To: 858 Zoning Department DeWitt County, Clinton, MS1722 Clinton, IL 61727 Name: UNLSEADERS										
Product:	02									
1/25/2021	13059	6288	091	2070		00280537	ASPH PAVES	09-1	13 900	\$25.45
Product Break:		Transactions:		1					13.900	\$25.45
Account Totals:		Transactions:		1					13.900	\$25.45