

# **DON GRAY**

**SANGAMON COUNTY CLERK**

SANGAMON COUNTY COMPLEX  
200 SOUTH NINTH STREET – ROOM 101  
SPRINGFIELD, ILLINOIS 62701  
TELEPHONE: 217-753-6700/FACSIMILE: 217-535-3233  
WEBSITE: [www.sangamoncountyclerk.com](http://www.sangamoncountyclerk.com)



## **MINUTES**

### **SANGAMON COUNTY BOARD**

**MAY 9, 2017**

The Sangamon County Board met in Reconvened Adjourned September Session on May 9, 2017 in the County Board Chambers. Vice-Chairman Sheehan presided and called the meeting to order at 7:00 p.m. Mr. Bunch gave the Invocation and Mr. Fraase led the County Board in the Pledge of Allegiance.

### **ROLL CALL**

Vice-Chairman Sheehan asked County Clerk Gray to call the roll. There were 26 Present – 3 Absent. Mr. O’Neill, Mr. Stumpf and Chairman Van Meter were excused.

### **PROCLAMATIONS**

Mr. Ratts, Mrs. Annette Fulgenzi, Mrs. Ruzic and Mrs. Douglas Williams presented a Proclamation to the Lanphier Lions High School Boys’ Basketball Team. The coaches and team were present to accept the Proclamation. Coach Blake Turner thanked the County Board for the recognition. He commented how much it meant to them to be recognized. He hopes they represented them well and made everyone proud. They will frame this and keep it in their trophy case.

### **PRESENTATION – ELKS CLUB**

Bob Church from the Elks Club gave a presentation. The Elks Club in Springfield started in 1907. Last year they elected their first woman, Glenda Cassons. During her tenure as the Grand Coordinator, they were a member of the Elks National Foundation out of Chicago. As long as they give them some of their money from dues, they can apply for grants. For the last 2 years they have applied for five \$2,000 grants they have received.

They gave those to a group he didn't know anything about, and he has been around here a long time. They are the Sangamon County Veteran's Assistance Commission. They bought goods for homeless veteran's that were receiving a permanent home. They bought things such as: sheets, towels, bedding, and hygiene products. They filled welcome baskets with these things. They have a check representing \$10,000 that they have been able to get over the last two years. The grant programs will continue in June, and he will be working with Kim and Joe from the Veteran's Assistance Commission to get more money. One of their goals is to show they are helping Veteran's. There are many Veteran's within their organization. Mr. Church presented the \$10,000 check to the Veteran's Assistance Commission.

### **PRESENTATION – FRONTIERS INTERNATIONAL**

Brad Mills and Austin Randolph, Jr. were present on behalf of Frontiers International to give a presentation. Mr. Randolph, President of the Frontiers Club of Springfield, presented an award for the County Board's help, dedication, and appreciation to young youth the club mentors here in the City of Springfield. One of the big programs they do is Grow Our Own, in conjunction with the city as well as Hanson Professional Services. They want to show their appreciation for what they do, the way they do it, and for continued support to the women and men in the City of Springfield. He thanked them.

### **MINUTES**

A motion was made by Mrs. Williams, seconded by Mr. Sullivan, for approval of the Minutes of April 10, 2017. A voice vote was unanimous.

MOTION CARRIED  
MINUTES ADOPTED

### **RESOLUTION 1**

1. Resolution approving an Agreement of Understanding for maintenance.

A motion was made by Mr. Ratts, seconded by Mr. Forsyth, to place Resolution 1 on the floor. Upon a roll call vote, there were 26 Yeas – 0 Nays for the adoption of Resolution 1.

MOTION CARRIED  
RESOLUTION ADOPTED

### **RESOLUTIONS 2 - 5**

2. Resolution appropriating Motor Fuel Tax Funds for the County Engineer's salary and expenses.

A motion was made by Mr. Bunch, seconded by Mr. Krell, to place Resolution 2 on the floor. A motion was made by Mr. Bunch, seconded by Mr. Krell, to consolidate Resolutions 2 – 5. Vice-Chairman Sheehan asked County Clerk Gray to read Resolutions 3, 4 and 5.

3. Resolution approving an agreement between Sangamon County and the Illinois Department of Transportation to transfer Surface Transportation Program Funds for state funds.
4. Resolution approving a right-of-way settlement with Parr Trust.
5. Resolution approving a right-of-way settlement with Barker Trust.

A voice vote was unanimous on the consolidation. A motion was made by Mr. Smith, seconded by Mr. Ratts that the roll call vote for Resolution 1 stands as the roll call vote for Resolutions 2 – 5, as consolidated. A voice vote was unanimous.

MOTIONS CARRIED  
RESOLUTIONS ADOPTED

### **RESOLUTION 6**

6. 2017-012 – Adam & Cari Claussen, 5222 Turkey Run Road, Sherman – Granting a Variance. County Board Member – Lori Williams, District #8.

A motion was made by Mr. Mendenhall, seconded by Mrs. Small, to place Resolution 6 on the floor. A motion was made by Mr. Mendenhall, seconded by Mr. Fraase, to waive the reading of the professional staff's report. There were no objections. Vice-Chairman Sheehan asked County Clerk Gray to call the roll. There were 26 Yeas – 0 Nays.

MOTIONS CARRIED  
RESOLUTION ADOPTED

### **RESOLUTION 7**

7. 2017-013 – Jorge & Nancy Fahrenbacher, 3451 Pet Cemetery Road, Springfield – Granting a Rezoning and Variances. County Board Member – Tom Madonia, Jr., District #9.

A motion was made by Mrs. Deppe, seconded by Mrs. Hills, to place Resolution 7 on the floor. A motion was made by Mr. Mendenhall, seconded by Mr. Madonia, to waive the reading of the professional staff's report. There were no objections. A motion was made by Mr. DelGiorno, seconded by Mr. Smith, to dispense with the roll call vote and move by acclamation. A voice vote was unanimous for the adoption of Resolution 7.

MOTIONS CARRIED  
RESOLUTION ADOPTED

**RESOLUTION 8**

8. 2017-014 – John Kulek, 6151 Main Street, Salisbury – Granting a Variance. County Board Member – Tom Fraase, Jr., District #1.

A motion was made by Mr. Fraase, seconded by Mr. Preckwinkle, to place Resolution 8 on the floor. A motion was made by Mr. Mendenhall, seconded by Mr. Snell, to waive the reading of the professional staff's report. There were no objections. A motion was made by Mr. Smith, seconded by Mr. DelGiorno that the roll call vote for Resolution 6 stands as the roll call vote for Resolution 8. A voice vote was unanimous.

MOTIONS CARRIED

RESOLUTION ADOPTED

**RESOLUTION 9**

9. 2017-015 – Ron Metzger, 600 Toronto Road, Springfield – Granting a Rezoning and Conditional Permitted Use. County Board Member – Brad Miller, District #13.

A motion was made by Mr. Miller, seconded by Mr. Madonia, to place Resolution 9 on the floor.

Vice-Chairman Sheehan asked the professional staff to give their staff report. Trustin Harrison, professional staff, stated the petitioner is requesting rezoning from "I-1" Restricted Industrial District to "B-3" General Business District and a Conditional Permitted Use for a tavern with a beer garden and live entertainment. Steve Keenan, professional staff, stated the Planning Commission recommends approval of the requested "B-3" zoning due to the trend of development in the area. Recommend approval of a Conditional Permitted Use for a tavern with a beer garden and live entertainment with the following conditions: (1) the tavern with live entertainment is limited to the footprint of the building and beer garden as per the site plan submitted with the petition; and, (2) the hours of operation of the tavern with a beer garden and all live entertainment including but not limited to any dancing, band, DJ music, or any other noise generating music of any kind, are governed by the Sangamon County Liquor Ordinance. Mr. Harrison stated that the Zoning Board of Appeals concurs with the staff recommendation for approval.

Petitioner Ron Metzger, address the County Board. He stated he is doing the old Stuckey's on Route 55, formerly known as Nick's Pizza and Pub. He is putting a Springfield Motor Head traditional bar and grill in there. It will really highlight Route 66, the Springfield Mile, Joe Shaheen's, and anything to do with motors. It's going to be a family oriented thing. They will abide by the rules on everything. They addressed the noise concern really well by putting the stage on the back side and by putting up eight-foot fences up between the buildings. It will be open for breakfast, lunch and dinner. It will obviously be a restaurant with liquor sales and entertainment. There will not be any head banging music, but will just be a fun place to be for all of us.

Attorney Mike Fleshman, representing Objector Gebhardt Properties, and Mr. Gebhardt were present to address the County Board. Mr. Fleshman clarified that their objection is for the conditional permitted use for the outdoor live entertainment. His client does not have any objections to the other issues Mr. Metzger has brought up. Mark Gebhardt addressed the County Board. He is the owner of Rich Development and Richland Estates. They own the 28 acres immediately south and to the west of Canadian Cross, and also the 30 acres southwest of this property. This area between Second Street, Toronto Road and Canadian Cross has been a victim of poor development by a desperate developer in the past. Currently it has a truck stop there that was zoned for no overnight parking. There is no enforcement and no way to enforce it. There is routinely more than 25 trucks there at a time. These things have created a huge trash pile in his field, which is just to the south of that area. He thinks the warehouse faces east, which is kind of an ugly eyesore on Second Street. They would just like to eliminate the trash problem with live entertainment, people parking up and down Canadian Cross, taking glass with them out of the bar and throwing it out into the field. He is constantly picking up trash, and he would like to make sure that doesn't happen there. They have looked at the Curve Inn and what happens there. Little Flower Church provides parking, and they have to pick it up every night. There is no way they can enforce picking up the junk, beer cans, and stuff people leave behind. They do not want the noise generated with outdoor music, or the big crowds that leave their trash behind.

Mr. Miller asked Mr. Gebhardt how long he has owned the property. Mr. Gebhardt stated he thinks it has been about 12 years. They've subdivided the piece they call Richland Estates, which is directly south. They bought the sewer from the city to come out there. They are pretty much ready to do it, but are kind of waiting for the economy to come around. Mr. Ratts asked him to clarify what he would be doing. Mr. Gebhardt stated they would divide it to build single-family homes and apartments.

Mrs. Linda Fulgenzi asked if he lives in the area. Mr. Gebhardt stated he does not live in the area, but his brother Steve lives on the 30 acres to the southwest. They are behind the tree farm to the east.

Mr. Madonia clarified, as a parishioner of Little Flower, that the Curve Inn staff does a phenomenal job of picking up the Little Flower Church parking lot. Mr. Gebhardt stated he agrees, but his point was that they have to do it. Mr. Madonia stated that yes the bar owners do have to take care of that, but the church does not.

Mr. Metzger gave his rebuttal. He stated he can only guarantee the clean-up issue will be the least thing they have to worry about. If you looked at that place a year ago, and look at it today, you will see it is phenomenal what they have done in the last year. He also owns Metzger Flooring Center, and everything they do is impeccable and is nothing but quality, and that's how it will stay when they do this. Mrs. Annette Fulgenzi commended Mr. Metzger for recognizing the value that Route 66 brings to their community. She hopes more entrepreneurs will see that value, and they can start capitalizing on the tourism with Route 66. Mr. Metzger stated this will be the biggest attraction in Springfield for Route 66.

Attorney Mike Fleshman addressed the County Board for the objector's rebuttal.

One of the biggest problems his client has with this development is that the staff recommendation says there is a buffer off Interstate 55 for residents to the east. To the west is the Road Ranger, and they say Toronto Road acts as a buffer to the north. They said properties to the south are already trending towards this development, but that is not true. The property immediately to the south is this 28-parcel tract that Mr. Gebhardt has already subdivided and ran sewer and water to. This will significantly decrease the values of the potential single-family residences and apartments that he will eventually sell as parcels or however he decides to develop it. There will be a large impact on the value of those homes. The main concern is the live entertainment. The Sangamon County Liquor Ordinance says live music stops at 10:30 p.m. In the proposed petition for this bar he thinks it said it will be operating 9:00 a.m. to 1:00 p.m. He thinks that was a typo, and it meant 1:00 a.m. He does not know who will go out there to stop them from playing this loud music past 10:30 p.m. They are asking to have a few more restrictions in place.

Mr. Krell pointed out that they have two pretty high dollar subdivisions on the other side of the highway. They are North Lake Shore and Lake Pointe. They also have Horseview Drive, and all that area in there that is developed. They also have a place over there called Crows Mill that is re-opening again after a fire. They have outdoor entertainment, and he thinks he has only received one complaint when they were open before the fire. The prices definitely have not gone down in those subdivisions. It did not hinder them one bit.

Mrs. Linda Fulgenzi stated the last sentence in the recommendation says "Are governed by the Sangamon County Liquor Ordinance." She asked the professional staff if it would be up to the Liquor Committee to put restrictions on how long the bands will be playing. They already have 9:30 p.m. and 10:30 p.m. She asked if that would be enforced by the Liquor Committee. Trustin Harrison, professional staff, explained that currently from Sunday night through Thursday night the music would have to cease at 9:00 p.m., and then on Friday and Saturday it would go until 10:30 p.m. There are requirements for a beer garden. They would be required to have an eight-foot fence. That enforcement would go through the Liquor Committee.

Mr. Smith also asked the professional staff to explain their efforts in going out to establishments and enforcing the hours of operation. Mr. Harrison explained they try to address all complaints such as carrying a beer out of the establishment. This would become a property owner issue. In the ordinance they are not allowed to carry open containers out of the establishment. That would be addressed as a potential violation to the license holder. Mr. Smith asked how their staff handles complaints during late night hours and on weekends. Mr. Harrison stated that they do spot checks. He will go out Friday and Saturday nights and through the week, depending on when they have complaints. If a complaint is persistent, it may end up coming before the committee and then in front of the deputy commissioner. There are possible penalties, fines, and even revocation of their liquor license.

A voice vote was unanimous for the adoption of Resolution 9.

MOTIONS CARRIED  
RESOLUTION ADOPTED

### **RESOLUTION 10**

10. 2017-016 – Ember Clear d/b/a Lincoln Land Energy Center, LLC, Black Diamond & Ameren Road, Pawnee – Granting a Rezoning. County Board Member – Jeff Thomas, District #4.

A motion was made by Mr. Thomas, seconded by Mr. Ratts, to place Resolution 10 on the floor. A motion was made by Mr. Mendenhall, seconded by Mrs. Annette Fulgenzi to move Resolution 10 to the end of the Agenda. A voice vote was unanimous.

MOTION CARRIED  
RESOLUTION MOVED TO END OF AGENDA

### **RESOLUTION 11**

11. 2017-017 – Troy Rodriguez, 9805 Palm Road, Glenarm – Denying a Rezoning and Granting a Use Variance. County Board Member – Pam Deppe, District #5.

A motion was made by Mrs. Deppe, seconded by Mrs. Scaife, to place Resolution 11 on the floor. Vice-Chairman Sheehan asked the professional staff to give their staff report.

Trustin Harrison, professional staff, stated the petitioner is requesting a rezoning from “A” Agricultural District to “B-2” Retail Business District. Steve Keenan, professional staff, stated the Planning Commission recommends denial of the requested “B-2” zoning. The petitioner plans to construct a gymnastics center on the subject property. The LESA score of 165 indicates the property is marginal, requiring mitigating factors for non-agricultural development. The immediate area has developed with commercial uses eliminating the cropland in the area. It is also unlikely that this parcel would be returned to cropland. This could be considered a mitigating factor. The long history of Use Variances and CPU’s being granted in this area indicates the County Board believes commercial and business type uses are a benefit to the community at this location. Staff believes the list of permitted uses in the “B-2” District is too intense for this area. In the alternative, staff recommends a Use Variance in the “A” District to allow a gymnastics center on the subject property with a condition that a solid fence or landscape screen to the satisfaction of the zoning administrator be provided along the north, west and south perimeters of the property. Mr. Harrison stated the Zoning Board of Appeals concurs with the staff recommendation for approval.

Petitioner Troy Rodriguez addressed the County Board. He explained that he is building a gymnastic center, and currently owns two gymnastics centers. One is in Springfield on Sangamon and Dirksen Parkway, and one is in Chatham. They are Capital Elite All Stars and Chatham TNT. He also owns a computer business on the property at 9805 Palm Road where they provide professional

services for many clients throughout Springfield and the surrounding areas. They are building the facility on that lot to enable all of their families from outside surrounding and existing communities to have easier access to their one facility. They want to combine both into one so they can create more programs, and provide easier access for those out of town to attend their programs. There are world team athletes and world champion coaching and staff using this facility. The property is about a 3,000 square foot facility where his computer company is right now, until they kick the project off. Then it will be an 80x200 foot long gymnastics facility.

Mr. Bunch asked if he is the one taking over Capital Elite. Mr. Rodriguez answered that he is. Mr. Bunch commended the people that owned it before. It is a good place for kids to be off the streets. He is very proud of his granddaughter that has been going there.

Mr. Hall asked how many acres he has. Mr. Rodriguez stated he has 1.01 acres. Mr. Hall asked how many parking spaces there would be. Mr. Rodriguez stated he believes there would be 76 to 78 parking spaces. Mr. Hall asked if there is any concern with drainage when you have that much of a structure with that many parking spaces. Mr. Rodriguez stated their business is mostly a drop-off business. They may have five parents stay. The water drainage is all going underground. Mr. Hall asked where it would be going underground. Mr. Rodriguez stated he does not know. That would be a question for the civil engineers. Mr. Hall asked if there is anything out there now for sewer and drainage. Mr. Rodriguez stated he does not know because they are right on a frontage road right off the interstate, so all of that watershed is directly there. He feels that is a question for a civil engineer in his opinion. They do have sewer directly to the north of their lot at JJ Campground. They are still determining whether they can tap into that and how much it would cost.

Mr. Hall asked the professional staff if there would be any concern with having that many parking spaces with that much of a structure. Molly Berns, professional staff, explained that the Building Department would look at all facets of this because it is a commercial building including drainage and run off. The Building Department will be asking the petitioner's engineers and design people, who design and actually seal the architectural drawings, and will do those calculations to meet any requirements to be sure and mitigate any drainage that may occur to adjacent property owners.

Mr. Hall stated when he adds up the structure and parking area it is well over an acre. He looks at it and he knows an inch of water on an acre is 30,000 gallons, and you are not supposed to drain out into the ditch off of properties. He asked if they are aware they cannot drain into the ditch. Mr. Rodriguez stated he is aware of that. He is aware the civil engineers will take care of all that, and the zoning comes first. Mrs. Berns clarified to Mr. Hall that this is kind of like rezoning a property. These kinds of design things will be taken care of after the fact. Just because the County Board decides to rezone this property tonight, it does not necessarily mean he is going to be able to build the building. That is the next step down the road. The Building Department will be watching for those kinds of things.

Kent Hill and John Smith, residents in the area, addressed the County Board. Mr. Hill stated they are basically three in number as residents, and not fifty. They hope that doesn't make a difference because this will affect their property and their daily lives there. He showed them a picture of the layout showing Palm Road, the frontage road, and his and other neighbor's properties. His argument is there is also one other commercial piece of property to the south of his driveway which comes into play. They have three concerns here. First of all is the obstruction of views from their residential properties. He heard discussion about fencing being put up to the north and to the west, which would block out views from his residence and Mr. Smith's. In one respect it's a solution, and in another it's an obstructed view. They live out in the country to have some open land and unobstructed views. The building there now is about 3,000 square feet, but what they are proposing is a 16,000 square-foot building. This will create a considerably larger obstruction for them. The second concern is with property values. He will be blocked in on two sides by commercial buildings. Mr. Smith is going to be blocked completely to the south. The third and most important concern is the watershed. Mr. Hill showed pictures of his surrounding property and the end result of flooding that has occurred. He's had a considerable loss in crop production in this particular area. The farmer that farmed his field for decades has pulled out, citing a loss of yield production in this area. They are concerned they will have the same problem with flooding on the north side in the field, and they will lose more acreage there.

Mr. Rodriguez gave his rebuttal. He stated he is all for taking the fence down if that's where they want to go with it. As far as the view is concerned, there is about six acres between Mr. Hill's house and his property, and that has been grown cropland for many years. Mr. Hill's house also faces the north, and in doing so, he is never facing this property at any time. His view would be Interstate 55 or his cropland. Also, the building to the south was never raised, is in a low water table, and it does flood; however, his property does not. His property will be raised again another three feet.

John Smith, opponent, gave his rebuttal. He has lived on this property with his wife Sharon for 18 years, which will be right next to the petitioner's. That water will all be in his yard. His property is about two foot higher and he plans on raising it, so it will be in his laterals. He is totally against him building that building.

Vice-Chairman Sheehan asked for a vote on Resolution 11. A voice vote carried for the adoption of Resolution 11. Mr. Preckwinkle abstained from voting.

MOTION CARRIED  
RESOLUTION ADOPTED

## **RESOLUTION 12**

12. 2017-019 – Mike Sharp, 13996 Cotton Hill Road, Pawnee – Deny the Rezoning, Grant a Use Variance and Variances. County Board Member – Jeff Thomas, District #4.

A motion was made by Mr. Thomas, seconded by Mr. Hall, to place Resolution 12 on the floor. A motion was made by Mr. Mendenhall, seconded by Mr. Fraase, to waive the reading of the staff's report. There were no objections. A voice vote was unanimous for the adoption of Resolution 12.

MOTIONS CARRIED  
RESOLUTION ADOPTED

**RESOLUTION 13**

13. Resolution approving the designation of the Churchill Cemetery as a Sangamon County Historic Landmark.

A motion was made by Mrs. Ruzic, seconded by Mr. Tjelmeland, to place Resolution 13 on the floor. A voice vote was unanimous for the adoption of Resolution 13.

MOTION CARRIED  
RESOLUTION ADOPTED

**RESOLUTION 14**

14. Resolution authorizing an agreement with Sangamon County and Kim's Autobody for vehicle body work repair services.

A motion was made by Mr. Mendenhall, seconded by Mr. Fraase, to place Resolution 14 on the floor. A voice vote was unanimous for the adoption of Resolution 14.

MOTION CARRIED  
RESOLUTION ADOPTED

**WAIVER OF TEN-DAY FILING PERIOD**

A motion was made by Mr. Ratts, seconded by Mrs. Scaife, to waive the ten-day filing period. A voice vote was unanimous.

MOTION CARRIED  
TEN-DAY FILING PERIOD WAIVED

**RESOLUTION 15**

15. Resolution approving an Intergovernmental Agreement with the Circuit Clerk and the Illinois Department of Healthcare and Family Services.

A motion was made by Mr. Thomas, seconded by Mr. DelGiorno, to place Resolution 15 on the floor.

A voice vote was unanimous for the adoption of Resolution 15.

MOTION CARRIED  
RESOLUTION ADOPTED

### RESOLUTION 16

16. Resolution amending the Springfield/Sangamon County Enterprise Zone and establishing a Memorandum of Understanding for extension of Springfield/Sangamon County to certain property for a particular purpose.

A motion was made by Mr. Preckwinkle, seconded by Mr. Fraase, to place Resolution 16 on the floor.

County Administrator Brian McFadden gave a presentation regarding Resolution 16. He stated that all of the members should have a number of items, including a packet of information that was presented at the Regional Planning Commission meeting when they voted on this. They distributed the transcript of the public meeting that was held a week or ten days ago. They also have in front of them a resolution and memorandum of understanding for discussion. All this information involves what is potentially one of the largest capital investments they have seen in this community. He says "potential" because it is important to note at this point in time this project is not a done deal. In fact, the odds probably are that this project may not happen. There are odds that this project could happen in another county since this is not the only county being considered for this project. As you know, the odds of success for a project is only one factor they weigh in. If this community were deterred by the odds of something happening they wouldn't be the State Capitol, they wouldn't have SIU School of Medicine, University of Illinois Springfield, the Lincoln Presidential Library, and they would not have construction starting on 10<sup>th</sup> Street. All of those projects faced long odds when they started. He is not saying those projects are akin to this, but he wanted to point out, in the past they have not had those things deter them.

He reminded the group that their mission with the particular resolution is a narrow mission. What is being considered here is whether this expansion, this property and this project is appropriate for an expansion enterprise zone. That is what to take into consideration with this particular vote. Obviously they have another item on the Agenda, which is the zoning, which will take into account other items. He also pointed out that this is being proposed, and there are two ways an enterprise zone project can proceed. This is option 1, which is project specific. That means they are talking about this project and not any other project. He knows there are concerns about what may happen down the road, and they can address it in a moment. This is project specific and must meet certain job creation criteria, wage criteria, and capital investment criteria. It is part of a very lengthy process they initially started, although he feels like he has been doing it for about ten years. They have a long way to go. They have enterprise zone, zoning, potential large scale review, state and federal sign off, and all kinds of environmental sign offs. To date they've had five public meetings. Three of those public meetings contained a vote of which all were in favor of the project. They had an informational meeting in Pawnee, and the Regional Planning Commission and Zoning Board of Appeals have met

and voted. They had a subsequent public hearing and another public hearing and the Finance Committee met and approved this as well.

Mr. McFadden gave a background of the project. He will discuss who, what, where, when and why. The “who” they are talking about is Ember Clear Partners, a limited liability corporation doing business for this particular project as the Lincoln Land Energy Center, LLC. The company is based in Houston, Texas. There are representatives from the company here this evening that will be prepared to answer questions the board members may have. He also pointed out that their Enterprise Zone Administrator Terry Woodfield is here as well if there are technical questions on how the enterprise zone will interact with this project. The “what” of this project is a “proposed”, again “proposed”, natural gas combined cycle power plant. You have photos in your packet from the Regional Planning Commission of what this project could look like. There would be the use of heat recovery to create solar powered second turbines. They are talking about two side-by-side turbines here with cooling towers, operations centers, maintenance shed, and so on. The project is proposing to generate up to 1,100 megawatts of electricity at peak capacity. That is enough power to provide electricity for approximately 800,000 homes.

The proposed project is a capital investment of more than \$1 million. It is proposed to generate 400 to 800 construction jobs over a two-year period. There would be 30 to 40 permit jobs with the average wage from \$80,000 to \$90,000. They have asked the Chamber of Commerce to give them a complete picture of what is going on here. They can explain this in more detail. They are here this evening to do a spin-off economic impact analysis of this project which produced it in a two-year construction cycle. There will be an additional 258 to 413 indirect or induced jobs, and \$113 million to \$182 million in sales and output just related to the two-year construction jobs. The permanent positions are expected to generate an additional 26 to 35 indirect or induced jobs with an \$18 to \$24 million increase in sales and output.

What the company is seeking from them is to include this property into the enterprise zone. Springfield and Sangamon County have a joint enterprise zone that was combined several years ago as part of the restructuring done at the state. The purpose was to provide a regional approach to the use of enterprise zone benefits. Why they want this is primarily they are looking at the sales tax breaks that are associated with being included in the enterprise zone. If you buy your construction materials in the State of Illinois they are sales tax free. The company is valuing that tax break at between \$35 million and \$65 million, which they have said is make or break for this project. The other locations they are looking at are already in an enterprise zone. The effort here is to expand the enterprise zone to include the property this project could be built on. The enterprise zone designation also brings with it property tax rebates. The only property tax involved is the County's portion of the property tax, which is approximately 10% of the property tax bill. To put that in perspective, the schools are usually about 60% of the property tax bill. So it is a very small part. He does not think this is the primary motivator for the company, but it will be part of the incentives they will receive. There was also some discussion about what this project would be assessed at. It's hard to determine, at this point in time, what to assess this at because they are not totally sure what this project will be. You should not confuse the construction value of the project with the assessed value. They will be different items based on the nature of this type of construction.

As part of their due diligence, they have been researching a number of other projects, counties, and a number of things to help clarify what that might be. Ultimately it will depend on what is put on the site.

The project will be an 80-acre parcel in Pawnee Township, which is directly south of the Village of Pawnee. Even though it is an 80-acre parcel, seven acres will be used as the footprint for the project. The company will tell you this location is unique to them. The Rocky Mountain Pipeline is directly north of the site. There is a large transmission site for Ameren directly adjacent to this property. The developer will describe this as literally a river of natural gas that flows by this project through the southern part of the county. It's already there. This makes that particular area attractive as they work their way through this. There have been questions about adding this 80 acres. What does that do to the enterprise zone boundaries itself? They are limited, by state law, to 12 square miles for their enterprise zone. That's approximately 7,680 acres. To date, they are using 7.72 miles of that 12 square mile allotment, which is 5,000 acres and about 65% of the property that has already been accounted for. That doesn't mean the property can't be taken out of the enterprise zone if it's not being used and reallocated to somewhere else. But 65% of it is in play at various locations throughout the city and unincorporated Sangamon County. That leaves about 4.28 miles left, which is approximately 2,700 acres, so they are looking at 80 acres coming out of the 2,700. If you do the math, they could do about 35 more of these power plants before they would run out of property. Not that he is saying they should do 35 more of them, but this gives you a scope of what is available here. This is in front of them because they feel it is valuable, and the Regional Planning Commission signed off on it and thinks it's a valuable use of their headroom.

Also in front of them to vote on tonight is the resolution that would extend the boundaries of the enterprise zone to take in this parcel. It also includes a Memorandum of Understanding. The Memorandum of Understanding is about a 10 page document. You will see a lot of nice language in the preamble that says things like "It's our understanding" and "It's our intention to do this", but the meat of this MOU that is important to this board is two-fold. One is that this MOU commits them to a final agreement in which details will be provided and locked into. The board acknowledges that this is an ongoing project, it is early in it, and details are still unfolding. They are not just going to sign off on something when they don't know what it is going to be. That final MOU will be an opportunity for this board to vote for this project with many more details. The way the MOU is written and drafted, that has to be in place for that company to receive the tax perks it is seeking. Second and maybe more importantly, there are contingencies applied to this. That final MOU is one of them. The second is there is a two-year window for construction to begin, or else they call back and decertify the enterprise zone. They feel two years is a time frame that gives them enough of a timeline so they know if this project is really taking off. There are a lot of steps they have to take. He thinks they will know in a year whether this project is really moving forward, or if it's not. The due diligence on their part will be to watch this project to make sure it unfolds as they think it will, but there is that two-year window that if things aren't moving in the direction they feel they are, then the enterprise zone gets decertified.

They have approximately 13 local hearings that will need to happen and 11 votes that have to happen. This will have to go over to the Springfield City Council, probably for two votes over there, including a committee vote and a full vote of the City Council. It will likely be here before this body for large scale plan review, which will involve four additional public hearings and four additional public votes. That does not even include the things that have to happen at the state and federal level. He also pointed out that the State of Illinois will have to sign off on this enterprise zone addition as well. If it passes locally here, it gets submitted by the county to the state, and they then have a period of time to sign off on it as well. So, there are a lot of steps still left in this project. There are other steps that will give them assurances of whether this project is moving in the way they feel they want it to. Things like building permits will have to be signed off on by the county, and they will have to go to the Enterprise Zone Administrator to get approval for the application to the state and the certification for the sales tax breaks. So, there are a number of other steps that are not necessarily public meetings or public votes, but are within the system that they will have to comply with or else face potential decertification.

The final thing is the “why”. Why now? The company has asked that they move on it now. The enterprise zone designation and the zoning are part of their effort to get financing. They county has told them they would move at their time line, and they will understand the risk if people have questions about what this really means. People are knocking on their door, and they are trying to respond and put this in front of the board in a timely way.

The County Board will hear some concerns and questions tonight. There are a number of people signed up to speak. They will hear about everything from bankruptcies to CWLP to lighting to noise to transmissions to landscaping and screening. All of those things will probably come up this evening, and most of those items are valid and will need to be addressed. Some maybe more immediate than others. The vote you will have to take on this particular item is about this addition to the enterprise zone. It is not the zoning, although he thinks they are going to talk about that and other large scale things. This is what they have in front of them, and they have to take advantage of it. What they have in front of them are the opportunities with natural gas and transmission lines. They always weigh the pros and cons and always make an informed decision. There are almost always rewards and risks involved in these projects. At this point in time he feels the perceived potential rewards outweigh the potential risks. It would be premature at this point in time to stop this project with so many other steps to go. He asked that they keep this in mind when they hear the speakers this evening. There will be representatives from the company and the Enterprise Zone Administrator present tonight to answer any questions.

Vice-Chairman Sheehan stated there are a number of people who signed up to give public comment on this resolution. The public comment section will be limited to 30 minutes between the nine speakers, and they will go in the order they signed up to speak.

Assistant State’s Attorney Dwayne Gab recognize that this is not zoning testimony, but is public comment by the people who signed up for public comment. He thinks things will be said during the public comment that are very relevant to the zoning case as well.

Mr. Gab recommended to the County Board that they adopt all public comment to be made during this particular resolution that is before the board. In regards to zoning resolution 2017-016, which is on the Agenda next, and is in relationship to the zoning for this project, this does not prevent further testimony during the zoning resolution itself, but will be intended to supplement that record. He thinks it recognizes that two minutes later they are all going to remember what everyone said, so they may as well put it in the record. That would take a motion by the board.

A motion was made by Mr. Preckwinkle, seconded by Mrs. Fulgenzi, to adopt the public testimony made during this resolution as testimony for Resolution 10, 2017-016, which is the zoning resolution that is associated with this project. A voice vote was unanimous.

Phil Gonet, public speaker, addressed the County Board. He resides at 1616 Cressa Ct. in Springfield. He is here tonight, not only as a resident of the City of Springfield, but also as President of the Illinois Coal Association. They are opposed to this project. The power plant will directly compete with CWLP's wholesale and power sales. If CWLP sells less electricity, the electric rates for Springfield's citizens may increase. As you know, if you do live in Springfield, they've had increases in electric rates because of lack of sales. Effective March 1, 2012, a 4.75% rate increase occurred, with an additional 2% in March of 2013. In 2012 Mayor Houston warned the City Council if they didn't vote for a higher rate increase, then in 2015 CWLP would be in technical default of their bonds. That did almost happen. They are almost \$8 million short, but suddenly they used some accounting techniques to find the money to even out the books at the end of that fiscal year. CWLP has experienced a loss in sales of electricity. When you have a 1,100 megawatt power plant putting out electricity in competition with CWLP then that could happen. CWLP rates were restructured effective January 1, 2016 to account for this lack of sales by increasing the monthly charge. The negative impact on CWLP rate payers has not been factored into any of the analysis he has seen to date. The allure of the \$1 billion plant is attractive. Who would say it isn't? The negative impact, not only on the loss of power sales, but if coal is used, means less coal produced at the Viper Mine in Sangamon County. There are Sangamon County and City of Springfield residents that work there. If their coal production declines it jeopardizes jobs there too. The 30 to 40 permanent jobs this project reports that could be there, could be offset by job losses at CWLP and the coal mine.

He cautioned them to take these things into consideration, and do not act on this tonight. He knows Brian has done a terrific job in saying these are the four steps. You will hear from residents from Pawnee that have significant concerns because they will have to live with this project in their back yard. They've had no answers whatsoever. He thinks it is unfair to them to move forward without some of those questions being answered. He reminded them that one of the principals, Vice-President with Ember Clear John Kinnamon, was involved with a project about four years ago in Tuscola called Cronus Chemicals. He recommend they take a look at the status of that project. They did get some tax breaks and an enterprise zone. They will lose all of those tax breaks in July because nothing has happened there. He encouraged them to get the answers to these questions before moving forward.

Mr. Preckwinkle commented that in today's world there is a lot of competition, and on the County Board one of the important things is that they acknowledge the competition, but also acknowledge that they play well for everybody. He does believe the coal mine in North County was able to have the enterprise zone extended up there, so what is good for coal may be good for natural gas too. Competition does work and is the American way. He thinks it's important they play fair for all involved.

Mr. McFadden explained that during the process there needs to be approval by the Springfield City Council for this project. He's had many conversations with Mayor Langfelder and the City Council members on this. They will do their due diligence as well. They are looking at the exact things that Phil is talking about. The Chamber of Commerce is funding a study as well. No one is taking these concerns lightly. Mr. McFadden pointed out that he is a CWLP rate payer, and he doesn't want to see his rates go up any more than anyone else does. The concerns Phil mentioned are being addressed by the City of Springfield. He pointed out that some of the concerns he has admitted are happening already. It is a very volatile market out there whether you are in coal or natural gas. The key is to weed between what's going to be caused by this plant and what's being caused in general by that industry. The way they are designing this thing is going to be what they want it to be. There are provisions in their ordinance that require the repayment of sales tax benefits. At this point in time, when you have somebody knocking on the door with this kind of investment you have to at least start the process and do the due diligence.

Jim Wilson, public speaker, addressed the County Board. His address is 15308 Black Diamond Road in Pawnee. He has been told this plant, if it goes in, will be 2,000 feet from his front door. He has been a real estate appraiser for 52 years. His major clients are the Department of Transportation, Sangamon County Highway, and various other Central Illinois county highways. He was Lead Review Appraiser for FEMA for the flood of 1993, and five other floods in Illinois since then. One of his concerns is this frontage is in a floodplain. He was once denied a permit one mile south of here for residential. Linda Wheeland, at that time, told him there would be no permits given for commercial, industrial, residential or special use in a floodplain. These people have nothing but floodplain for the 1,320 feet. They physically don't have enough entrance. IDOT says an industrial entrance should be 35 feet wide with 6 foot wings on it. This outfit has exactly 29 feet from the bridge railing to the property line, and Ameren has a five-foot deep drop box directly north of the line. You can't get a 47 foot entrance into 29 feet. The third item is, if you go ¼ mile north on Black Diamond you run into First Street in the City of Pawnee. First Street is two blocks long and it T's into Washington Street. The Village of Pawnee has a 10-ton load limit in that area. If you go south to the second bridge, Sangamon County Highway dropped the load limit to 22 ton last year. Most people wouldn't know what nine yards of concrete weighs. It weighs around 33 ton. A semi load of rock weighs about 35 ton, and who knows what a crane coming in on a lowboy would be. When they asked the gentleman at the public hearing how they were going to get in there, they said they might work something out with Ameren to use their entrance. Ameren's entrance is a private 60-foot strip with a 24-foot gravel base, and it's also in the floodplain. Another thing bothering him is they have never coordinated any of this to run into the mine stakes out there. He has several mine stakes within ½ mile.

Jessica Megginson, public speaker, addressed the County Board. Her address is 4536 E. Divernon Road in Pawnee. She thanked them for the opportunity to address them tonight. She has some significant concerns, not only about the power plant itself, but about the company Ember Clear. She has raised these concerns at every opportunity she's had so far, including the Finance Committee and Zoning meetings, and the public hearings. She stands here again before them and asks them to please reconsider allowing Ember Clear to do business in Sangamon County. There is clear history that not once, but twice, of this company involving bankruptcy. In addition, they were told in Canada that their stock could not be traded. That cease trade order happened six times in their existence in Canada. On top of that, it currently is basically a penny stock. The last time she looked it was worth \$.03. They have a negative cash flow, and there are all sorts of other negative stock and business aspects with this company that definitely indicate serious financial concerns. She is concerned not only because of the project that would go in, but this company has made promises to Sangamon County labor unions and Sangamon County residents in general for potential for employment. The job numbers the residents of Pawnee have been given, on multiple occasions, have been completely inconsistent. They have gone from 200 jobs to 400 jobs to now 800 jobs. In addition, when you look at the permanent jobs being proposed in Sangamon County and in the State of Illinois, according to tons of various groups that do studies, the groups of people that need employment are those that do not have a high school diploma. Those individuals do not qualify for these technical positions to make \$80,000 to \$90,000 a year. The jobs are really not serving the people who need served the most. Of course there will be many others to talk tonight about the environmental aspects, so she will let them address that with the County Board. She mentioned that Brian McFadden had said there were many projects that have been through Sangamon County that had a long road ahead of them. One being the Abraham Lincoln Library. Those projects weren't dangerous to our residents. There have been natural gas explosions in the area, and there was a plant explosion in Louisiana just this year. This is definitely something they all need to think about. She would like them to think about getting the answers for her, the rest of the Pawnee residents, for Sangamon County, and for the labor unions with the men and women who are depending on these jobs. She asked that they get those answers first, then act and decide what they would like to do from there.

Chris Hembrough, public speaker, addressed the County Board. He resides at 2409 Hurstbourne Lane in Chatham. He is here as a Sangamon County resident and with the Greater Springfield Chamber of Commerce, which represents all of Sangamon County. As you know, Ember Clear is in the process of their due diligence just as the county is. The Chamber has been working with them since the beginning of the year, connecting them with landowners. It has led them to this point where they have the option on the property east of the Ameren Substation on the south side of Pawnee, as well as the request to extend the enterprise zone and change in zoning. Extending the enterprise zone and approving the change in zoning as recommended by professional staff, as Mr. McFadden mentioned earlier, are really the first steps among many steps that will be part of the development process. While some have expressed concerns and have questions, concerns and questions that are valid and will need to be answered along the way, they must remember those questions and concerns will be answered step-by-step at the appropriate time. To say no to extending the enterprise zone, with the zoning recommendations, closes the door to the potential for a \$1 billion investment in Sangamon County.

To his knowledge, they have never had a \$1 billion investment in Sangamon County. To say no, sends a message loud and clear that their county is not open for business. He does not believe that is a message any of them want to send. A capital investment like this is exactly why they have the opportunity and the option to extend an enterprise zone. As Mr. McFadden articulated earlier, if you do the percentages, they are talking about extending the zone to a very small percentage of what is available for extension, which is about 3%. This capital investment of \$1 billion will create from 400 to 800 construction jobs with an estimated 250 to 400 projected spin-off jobs. This project will create 30 to 40 high paying jobs between \$80,000 and \$90,000 on a permanent basis each year. That is between \$2.4 and \$3.6 million in annual payroll just from the power plant production operations itself. That doesn't include the spin-off jobs for suppliers, contractors, maintenance workers, and other opportunities for Sangamon County business. These are dollars that will be spent in our community. Lastly, while property taxes in Sangamon County are trending downward, this will be a massive boost in revenue to the Pawnee School District, Sangamon County, Pawnee Township, Lincoln Land Community College, the Pawnee Fire Protection District, and other taxing bodies. The property tax impact from this project will be very significant. Extending the enterprise zone and approving the change in zoning and the resulting development, will send a clear message that Sangamon County is open for business, that they can handle this large and complex project, and that they are prepared to handle others as well.

Brad Schaive, Business Manager at Laborer's Local #477 at 1650 N. Dirksen Parkway in Springfield, addressed the County Board. He is here this evening to make some comments and address some things that have already been said. The individuals that are going to be in these jobs and the individuals that are unemployed, that they run into, do have high school educations. Some of them are Veteran's that just returned from Afghanistan and can't find a job. They are not building schools currently because the state doesn't have a budget. They are not building the roads and infrastructures like they should be, and they definitely are not doing capital projects. There are highly skilled individuals who are looking for work and don't have an opportunity to get a job without the state doing the capital projects, especially in their industry. Their industry is important because they provide benefits and a living wage. When their members go to the hospital, they are covered by insurance. They buy new homes, new trucks and cars, and go to restaurants within this community. It's imperative that those individuals, who are part of the economic engine of Sangamon County, are gainfully employed. But it's also important they have an opportunity to take in new members. These are individuals who were returned back from service of their country, and are individuals who graduated college and cannot obtain a job within the field they paid all those school loans to get. They have those individuals. So the previous comment made about those unemployed individuals not having a high school diploma is not what they see. They only open applications for apprenticeship about six to seven months out of the year, and every time they do that they have hundreds of men and women from this community looking for employment. They range from college degrees to high school diplomas to GED's. They have individuals they help foster from programs like higher education at Lincoln Land. There are programs that give minorities and females an opportunity to get within the trades that are revolutionary and never existed. It's success or failure, and they have state and federal funding, solely rests on the opportunity where the trade unions within this community have projects to send those men and women to work.

A billion dollar project does not come around often. He has been a business major for 16 years. They've had a major pipeline influx with two pipelines, and the other project of this size was their own power plant. You hear people all the time talk about CWLP. CWLP has not laid off an individual since he has been here in 16 years, but they hire every month. Something is going okay. He always hears about how they have to raise rates. The fact is, they have one opportunity to help forward a fiscal windfall to this community, and if they choose not to do that, he guarantees another community that he worked with when it came almost into fruition with a coal gasification plant, will roll out the red carpet because they will take those jobs. He covers that area also, so they will be sending the men and women there, but he does live in Sangamon County.

Mr. Hall stated he has men and women who live in his district that travel three to four hours to get union jobs because there are no jobs in this area right now. He sees dads leave on a Sunday night and they don't come back until late Friday. They go to Iowa and Indiana. Here is an opportunity to put jobs in their back yards so they will be home at night. That is what he sees.

Mr. Schaive stated he has members of his own local who, when they finished the recent pipeline in this area, traveled with that pipeline away from their families and children to Iowa in the middle of nowhere to work on a pipeline because we are not building schools. The medical industry, that has been a big proponent of success of the construction industry, has slowed down. They are also not doing the roads and bridges like they should be either. As you know, the infrastructure is crumbling. There are many individuals, and also trade unions within this community that don't have the employment they have been graced with, that are suffering through this, and they have taken individuals from programs and put them through apprenticeship programs, and then don't have those jobs to fill either. They are traveling outside this community too, and sometimes they don't come back. They find jobs, buy a house there, they like the community and they lose them. Individuals who have 15 to 20 years of education, or individuals that can run a bridge job from start to finish or a boiler, go somewhere else and stay there. Mr. Schaive concluded by saying they need the opportunity to get those individuals and get them gainfully employed within Sangamon County.

Gary and Diann Glenn, public speakers, addressed the County Board. They reside at 15234 Black Diamond Road in Pawnee. Mrs. Glenn stated the proposed plant will be directly in front of them about 550 yards. They bought their home in the country 35 years ago to raise children and to have horses, and now all of a sudden they will have an industrial complex. They understand a billion dollars sounds good, and Mr. Hembrough's presentation was lovely. But the fact of the matter is, this is an ambitious project for a company that hasn't been out of bankruptcy one year. They didn't do their homework. The reality of living on Black Diamond Road is that it is a floodplain and always has been. If you look at your maps in the first picture, those are drives to Ameren that are underwater. Ember Clear, which is the small path to the left, is in a very active floodplain. The second picture of the stop sign is Washington Street. That is how you get to the Black Diamond. This last weekend they did a fast water rescue of Mrs. Alice Edridge on Washington Street. Washington Street always floods. There is no other way around it. In the next picture you see a red house, which is sitting in feet of water. What you don't see in this picture are five homes that were bought out by flood insurance. They haven't done their homework, but the window dressing sounds good.

There is feet of water. The next picture is south from her porch on the Black Diamond. There is no Black Diamond. You are in feet and feet of swiftly moving water. If you notice the dates, this was December. Normally it is April or October, but this year it was December. The next picture is north. Looking at what the drives are for Ember Clear, they are underwater and you can't get to them. The last picture is after the Spaulding Dam has been open eight hours, and that is what the road looks like. To put this plant, while opportunistic for Ember Clear, is courting a disaster. You are in the most active floodplain area in the whole southeast corner of Sangamon County. They didn't do their homework. You are going to put this 600 yards from Rutledge Street, First Street, Second Street and Washington Street, of which when it looks like this is usually every year, every other year, or it could be twice a year. It has historically been this way. You have effectively trapped these people. Remember in the last 120 months they've had a gas line explosion 2 miles north of Pawnee in a rural area that killed cattle and scorched a house, and Dallman blew up. She doesn't want that 500 yards off of her front porch. Would you?

Gary Glenn addressed the County Board. He stated he doesn't think they should let them do anything until they answer a bunch of questions. What is the safe zone around this thing, if it decides to go boom some night? In less than a quarter mile you have several families. Are those families' lives worth another buck or two to the county? Where is the gas line going to come in at? Will it be running by people's houses? He doesn't think they want that. He also doesn't want his grandkids toasted. There are all kinds of questions that Ember Clear needs to answer. He's asked them, and every time he gets the answer "I don't know, it hasn't been drawn up yet". He stated he wouldn't try to get funding for something that costs a billion dollars without having a stinking set of drawings. Maybe he is old fashioned, but he wishes the County Board would think about it.

Mark Klein, public speaker, addressed the County Board. He resides at Black Diamond and Ameren Road. He asked if any of them have ever been to one of these turbine plants. Sangamon County needs this or needs something, but not where they want to put it. He and his wife have lived there for 22 years. They took that old farmhouse and spent a lot of money on it. The gentleman said "If you say no to Ember Clear, you are saying no to business or a billion dollars". They have thrown a lot of money into their farm. So what you are telling me is "Well, I tell you what Mark, you can throw a lot of money into that, but if you don't have a billion dollars, we are going to throw one next to you". Sangamon County needs something, but he does not think this is the right place. Mrs. Glenn said the same thing. That place floods all the time.

Bryanna Bertolino, public speaker, addressed the County Board. She resides at 607 5<sup>th</sup> Street in Pawnee. She feels like there has been a lot of talk about money tonight, and not a lot of talk about community. She is a Pawnee resident, grew up there, and went to school there from Kindergarten through 12<sup>th</sup> grade. She moved back there from St. Louis, Missouri to raise her family. It's the type of place where people leave their doors unlocked, and let their kids walk home from school. Residents like herself choose to call Pawnee home because they want to raise their kids in small town USA, and not to be neighbors with an industrial complex. As many people have talked about, there is no direct route to get from 104, which is their main highway through town, to this location. You have to cut through the floodplain like everyone has talked about, or go down her street, which is 5<sup>th</sup> Street.

A couple weeks ago a large generator had to come down her street to go out to the Ameren Substation, which is neighbors to this proposed site. She addressed this issue at the very first meeting. Everyone kind of nodded along with her, but there have been no answers about this or anything else they have really asked about. A lot of people are talking about this boom that will come to their local economy during the time of building, which sounds great. She has personally worked for two previous business in town for two previous constructions. They were the pipeline as well as the Ameren Substation. A lot of times what happens is large groups of people come in all at once, and their businesses aren't equipped for that. They are a small town, so they feed regulars, and entertain regulars. What happens is, you get all these people coming in and you make your locals angry because you can't feed or serve all these people in an appropriate amount of time. They deal with that for about a year or two, and then they lose locals. Then when the laborers are gone, they actually end up with less business than what they had before. One of these previous places she's speaking about closed shortly after the pipeline was done being built. She is concerned that there isn't more information available to them until this project is fully underway. She is concerned that the community members and local representatives are not doing a better job to make sure proper information is circulating. She is most concerned because their very own Mayor told a room full of people, at the first public hearing regarding this project, that every resident would have a vote on whether or not they wanted this plant to be built. That most definitely seems like it is not going to be their reality. She sees this project as a short-term fix in a town full of people who intend to spend a lifetime there. She urged the County Board to vote against rezoning this property as industrial as well as extending this enterprise zone. She also asked that her representative vote Present as opposed to in favor of it. She thanked them for their time.

Michelle Young, public speaker, addressed the County Board. She resides at 602 Monroe Street in Pawnee. She has been a Pawnee resident and taxpayer for the last 13 years, and has also been coming to Pawnee off and on for the last 28 years. Her husband and two teenage daughters live 1/3 mile away from the proposed plant site, and ¼ mile from lot line to lot line. She is just one example of many Pawnee residents who are against this power plant being so close to their community. It's a quiet country community, and it feels like they are being invaded by industrial infrastructure. They are concerned about how this is taking place, how this is being zoned and being approved by the committees, and going from agriculture to industrial. Somehow Ameren slipped in under the radar, so to speak. There wasn't very much public information, residents really weren't aware it was happening, construction was fast, and it was installed quickly. She guesses there were some domain notices that were given to some of the residents, but they feel like they haven't had any say. They just feel like it is taking over. Now the committees are recommending approval for the next part of this industrial zoning to take place. They are angry, frustrated and concerned about how this process is happening. The Ameren Substation was allowed in agricultural. The recap of these meetings say that it looks industrial. All of a sudden Ember Clear requests land be rezoned for industrial too, and the Zoning Committee has come to the conclusion that it makes sense to rezone the area since there is now a trend towards industrial. How is there a trend when there is only one other parcel that is industrial? It's concerning. They just wonder when it ends. If this happens, what is next? Allowing this power plant to come to Pawnee, so close to Pawnee residents, just negatively impacts lives of all of the residents and their families.

The Ameren Substation is an eyesore already to people who openly view it. Luckily there is no real noise right now, but add a natural gas power plant. You will have years of construction noise pollution and floodlights 24/7. The natural gas power plants have oil and soil pollution pollutants, so they have the worries of their young children having asthma and respiratory problems, and possibly even her future grandchildren. There are dangers involved with a natural gas power plant. The pipeline could break, like in 2007, but this is really close to them and is not so rural. There was damage then to livestock. When you are evacuated, it is up to a two-mile radius of a possible explosion with a natural gas power plant. That would be all of Pawnee. They are just concerned and feel like they have no input at all. Is this really spot zoning? It says in the notes that it is not spot zoning, but there is just Ameren that is in there right now.

Mr. Hall asked if there is anyone here from the energy company. He asked if they are going speak, and if not, he wanted to know why. Assistant State's Attorney Dwayne Gab explained that Mr. Kinnamon has indicated, and he thinks it would be completely appropriate as a point of order, to ask him a question if you want to. He would certainly be able to go to the well and answer any questions the County Board has. Mr. Hall stated he hears from people in this area that they are hearing information, but there are few that are not hearing the right information. He asked if they have gone through every exhausted length to contact anyone and everyone who lives in that area. He knows the Mayor and their board member in the area have been speaking to them. Does everyone have the information? If so, great, but if not, are they still going to keep trying?

John Kinnamon, Vice President of Development, Midwest, for Ember Clear addressed the County Board. He thinks any time you ponder this kind of investment anywhere, it has a tremendous impact. They are aware of that, and they are aware they are responsible for that. He thinks, from the very beginning, they have been very transparent in their efforts in outreach to the community. The first public meeting they had in Pawnee was not required. It was something that was done entirely voluntarily by their company at the request of Mr. McFadden. They have attempted to call every resident on Black Diamond Road and to the south of them. To that degree, they have not made efforts to contact people actually inside the city limits of Pawnee, but they've made every effort to call every single resident, and are open to contacting every single resident in that immediate area as time permits. They hope this answers the question.

Mrs. Ruzic asked how many residents live in Pawnee. Mr. Kinnamon stated there are 2,700 residents.

Mr. DelGiorno stated with regards to projects such as this, he knows a lot of questions come up about what happens with regard to construction, how area residents are affected, and those sorts of things. He asked them to clarify for the County Board and those here tonight, in a project like this, at what stage of the game they actually engage in the development process, and work with engineers to start that process so those kinds of questions can be answered.

Mr. Kinnamon stated he thinks that is an excellent question. The issue is at what point in time in a project it is justified to spend money for those activities. You do that after you have secured control of the property, and if the nature of the property is zoned properly, both from the standpoint of any development incentives and from the standpoint of land use. At that point in time, they will invest money into doing the engineering to design the plant. Every one of these plants is designed specifically for that site. The issues with respect to how you can bring in equipment and how you can use the roads come about from investing several million dollars in that process. During that process they engage the county and city with respect to the ability of the infrastructure to accommodate the project. If any of the issues became a fatal flaw, they will not develop this facility. He expressed that he wants to make something very clear. For them to actually begin the process of considering whether or not the site is appropriate for this kind of project, they have to invest money and have to decide whether or not it is a project that is financeable and can be underwritten. If it can't be underwritten, there will be no project. If there is no zoning that is appropriate for this project, he can't consider it. If there is no enterprise zone, and they have to pay the upfront taxes to be able to make the investment in the first place, there will be no project.

County Administrator Brian McFadden concluded. They have tried to have as transparent of a process as possible. They are talking about all of these public meetings. John was absolutely correct about the Pawnee meeting, which was two hours long. There was a commitment to try and answer as many questions as possible. They didn't have to hold that meeting, but it was something the county requested they do, and they followed through on that. He thinks they've had a good healthy debate tonight and all the way through this process. He thanked those involved with this. He does not doubt at all the sincerity and passion that those people who spoke tonight have about this project. He respects that, and he thinks they all respect that as well. The county doesn't want to see their bridges torn up, a plant that's dangerous, or traffic flow that is dangerous to the community. There are building permits and tons of things that still have to happen for this project. There will be both public votes in front of this body and things you entrust your staff to do and sign off on. In conclusion, they are not voting tonight on building a power plant. They are voting and signing on the appropriate use to expand the enterprise zone boundaries. That's the issue at hand for this particular vote as well.

Mr. Thomas addressed the people. He appreciates everything they have done. He has been bombarded with emails, phone calls, text messages and people stopping by his house. He sees the passion that has gone out. Everybody loves Pawnee and the community, including the people who are for this and against it. They want to work together to make sure this happens in a good way, whatever it is. The last thing he wants to do is make anyone mad, but at the end of the night he has to vote one way or another and somebody is not going to be happy. He appreciates all the time they have put into this from the bottom of his heart.

Vice-Chairman Sheehan asked for a roll call vote on the adoption of Resolution 16. Upon the roll call vote, there were 26 Yeas – 0 Nays.

Mr. Bunch explained that he can understand some of their feelings. He has always been a person who felt they should give progress a chance. They don't know if there is going to be coal here five years from now. His hopes his great granddaughters can look back someday and see that her grandpa voted for something since the coal industry has went under. He thinks this is a great opportunity for Sangamon County and for some of the laborer's to go forward. This isn't guaranteed, but is just letting the people know they want to do this project and to give their support towards that. He is going to vote Yea on this.

MOTIONS CARRIED  
RESOLUTION ADOPTED

### RESOLUTION 10

10. 2017-016 – Ember Clear d/b/a Lincoln Land Energy Center, LLC, Black Diamond & Ameren Road, Pawnee – Granting a Rezoning. County Board Member – Jeff Thomas, District #4.

A motion was made by Mr. Thomas, seconded by Mr. Ratts, to place Resolution 10 on the floor. A voice vote was unanimous. The professional staff gave their report. Trustin Harrison, professional staff, stated the petitioner requests a rezoning from "A" Agricultural District to "I-2" General Industrial District. Molly Berns, professional staff, stated the Planning Commission recommends approval. The property is zoned Agricultural. The LESA score of 181 indicates the property is suitable for only agricultural uses; however, this score presumes that no water or sewer is available at the site. The petition indicates the Otter Lake Water Commission will provide water, and the Village of Pawnee will provide sewer service. Obtaining those services for the development reduces the LESA score to 146, making the site suitable for non-agricultural development. The property adjacent to the subject property contains a sizeable electric substation which is a permitted use in the agricultural zoning district, even though it is considered to be an industrial use. The construction of the substation had the effect of developing a trend of industrial uses in the immediate area. Rezoning the subject property to "I-2" would not be considered to be spot zoning, as the proposed use of the property is compatible with the electric substation. Furthermore, locating the highly intense industrial uses close together is seen as good planning principles. The east side of the property also contains a dense tree line along Horse Creek, which will help screen the proposed power plant from the residences located along Black Diamond Road. Mr. Harrison stated the Zoning Board of Appeals concurs with the staff recommendation for approval.

Assistant State's Attorney Dwayne Gab explained that since there has been a formal written protest that means it's a percentage of full County Board and would require 22 votes for approval of the recommendations from the staff and Zoning Board of Appeals. He suggested they have another roll call vote. Upon the roll call vote, there were 26 Yeas – 0 Nays. Mr. Thomas explained that he could vote no, but it would not make a difference, so he votes Yea.

MOTION CARRIED  
RESOLUTION ADOPTED

**OLD BUSINESS**

There was no old business.

**NEW BUSINESS**

A. Resolutions

There were no new resolutions.

B. Appointments

Appointment of James Reinhart to the Sangamon County Water Reclamation District for a term expiring May, 2020.

Appointment of Steve Voyles to the Auburn Fire & Rescue District for a term expiring May, 2020.

Appointment of Greg Marshall to the Buffalo Fire Protection District for a term expiring May, 2020.

Appointment of Gerald Hughes to the Chatham Fire Protection District for a term expiring May, 2020.

Appointment of John T. Martin to the Dawson Fire Protection District for a term expiring May, 2020.

Appointment of Brian Spelman to the Divernon Fire Protection District for a term expiring May, 2020.

Appointment of Leland Rhodes to the Eastside Fire Protection District for a term expiring May, 2020.

Appointment of Kenneth Stewart to the Illiopolis Fire Protection District for a term expiring May, 2020.

Appointment of Carol Buecker to the Lake Springfield Fire Protection District for a term expiring May, 2020.

Appointment of Patty Lewis to the Loami Fire Protection District for a term expiring May, 2020.

Appointment of Frank Stroble to the Northside Fire Protection District for a term expiring May, 2020.

Appointment of Tim Boblitt to the Pawnee Fire Protection District for a term expiring May, 2020.

Appointment of Roger Anderson to the Pleasant Plains Fire Protection District for a term expiring May, 2020.

Appointment of Keith Rigdon to the Sherman Fire Protection District for a term expiring May, 2020.

Appointment of Sam Collins to the Western Fire Protection District for a term expiring May, 2020.

Appointment of Rich Spenn to the Williamsville Fire Protection District for a term expiring May, 2020.

A motion was made by Mrs. Hills, seconded by Mr. Tjelmeland, for approval of the appointments. A voice vote was unanimous.

MOTION CARRIED  
APPOINTMENTS ADOPTED

**REPORTS OF COUNTY OFFICIALS, REPORTS OF SPECIAL COMMITTEES,  
REPORTS OF STANDING COMMITTEES, COMMITTEE REPORT ON CLAIMS**

A motion was made by Mrs. Fulgenzi, seconded by Mr. Miller, to place the reports on file with the County Clerk. A voice vote was unanimous.

MOTION CARRIED  
REPORTS FILED

**RECESS**

A motion was made by Mr. Bunch, seconded by Mr. Sullivan, to recess the meeting to June 13, 2017 at 7:00 p.m. A voice vote was unanimous.

MOTION CARRIED  
MEETING RECESSED

***Don Gray***  
***Sangamon County Clerk***