

LAND USE COMMITTEE MINUTES

DATE OF MEETING: May 10, 2021 at 5:02 p.m. County Building

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

MEMBERS ABSENT: None

SUMMARY OF DISCUSSION:

- Betsy Shifflet asked several questions concerning the building permits issued for wind turbine 11 and 12.
- Elizabeth Burns spoke to the committee about 153.25(D) of the county codes.
- Motion by Tilley, 2nd by Carter to approve last month's minutes. Roll Call vote as follows: Aye – Ferguson, Carter, Tilley, Kammeyer and Wickenhauser. Nay – none. Motion carried.
- Motion by Wickenhauser, 2nd by Carter to approve the claims. Roll Call vote as follows: Aye – Ferguson, Carter, Tilley, Kammeyer and Wickenhauser. Nay – none. Motion carried.
- Motion by Carter, 2nd by Tilley to meet next month on June 9th at 5:00 p.m. Roll Call vote as follows: Aye – Ferguson, Carter, Tilley, Kammeyer and Wickenhauser. Nay – none. Motion carried.
- Monthly report submitted
- Correspondence from Dana Korneman. Ferguson indicated that he replied to Mr. Korneman indicating that the County had the areas he spoke about covered and utilizing Cummins Engineering. (attached)
- Update on the conditions related to SUP 250-2019. (attached)
- Kammeyer spoke about the complaint process regarding the wind farm project. Stated that people needed to utilize the complaint portal and not use social media as their avenue to voice complaints.
- Update on zoning applications. The job is currently posted until May 16 and could be extended if needed. Kammeyer feels that the county needs to find someone with experience in renewable energy projects and not fill the position just to fill it.
- Review of the zoning inspection form. Discussed making changes to the form, i.e., instead of having the applicants name and address need to have the owner's name and address, doing away with the enclosure inspection. Will address next month.
- Discussion on revising the permit fees. Will address next month.
- Committee discussed revisions to the Solar Ordinance. Committee members will review and submit possible revisions to committee members for the June meeting.
- Carter stated that he felt that the sale of the 75 acres at the marina should be listed with a real estate agent and not sold a public auction.
- Motion by Kammeyer, 2nd by Tilley to adjourn at 6:30 p.m. Voice vote, motion carried.

COMMITTEE ACTION:

Approve last month's minutes.

Approve the claim.

Next meeting date will be June 9, 2021 at 5:00 p.m.

RECOMMENDATIONS TO THE FULL BOARD: None

DATE OF NEXT MEETING: June 9, 2021 at 5:00 p.m.

**AGENDA FOR THE
LAND USE COMMITTEE**

Date and Time of Meeting: May 10, 2021 at 5:00 p.m. County Building

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.
 - B.
4. Items for Discussion and Possible Action
 - A. Approve last month's minutes
 - B. Claims
 - C. Meeting date in June
 - D.
5. Items for Discussion Only (No Action Requested)
 - A. Monthly Report
 - B. Correspondence from Dana Korneman
 - C. Review of Solar Ordinance
 - D. Update on SUP conditions
 - E. Zoning position
 - F. Review zoning inspection form
6. Executive Session:
 - A.

Posted: May 6, 2021 at 11:15 a.m.

By: Dee Dee Rentmeister

Join Zoom Meeting

<https://zoom.us/j/4327127633?pwd=RlZoc3Q1YVFiWjIvVVBNOjRjaUJFZz09>

Meeting ID: 432 712 7633

Passcode: 7G4RfQ

One tap mobile

+13126266799,,4327127633#,,,,*916633# US (Chicago)

Dial by your location

+1 312 626 6799 US (Chicago)

Meeting ID: 432 712 7633

Passcode: 916633

PERMITS ISSUED 4-1-21 thru 4-30-21

Permit #	Date	Est. Cost of Construction	Fee Charged	Issued For	Location
7563	4/1/2021	\$650,000.00	\$100.00	New residence	Wapella
7564	4/5/2021	\$50,000.00	\$100.00	Addition	Waynesville
7565	4/5/2021	\$129,000.00	\$0.00	Ag Workshop	Clintonia
7566	4/7/2021	\$20,000.00	\$80.00	Garage	Waynesville
7567	4/7/2021	\$70,000.00	\$0.00	Ag Storage	Wapella
7568	4/7/2021	\$63,000.00	\$100.00	Storage shed	Wapella
7569	4/7/2021	\$5,000.00	\$100.00	Deck	Clintonia
7570	4/7/2021	\$40,000.00	\$0.00	Grain Storage	Texas
7571	4/9/2021	\$13,988.00	\$25.00	fence	Santa Anna
7572	4/12/2021	\$680,000.00	\$680.00	Fertilizer Tank	Nixon
7573	4/12/2021	\$500.00	\$25.00	fence	Texas
7574	4/27/2021	\$1,200.00	\$25.00	fence	Santa Anna - FC

Deedee Rentmeister

From: Dana Korneman <waltond19@gmail.com>
Sent: Sunday, April 25, 2021 7:02 AM
To: Terry Ferguson
Cc: Deedee Rentmeister; Claro Carter; Christy Pruser; Dan Mathews; Jami Prestegaard; Megan Myers; tilleywood@gmail.com; Nate Ennis; Travis Houser
Subject: Wind Farm Building Permits etc
Attachments: Memo to Aaron Paque 12-9-2020.docx

Terry and Dee Dee,

On Dec 9, 2020, I sent a memo to Aaron Pague with copies to other board members offering to provide assistance to Aaron in his review of the Alta wind farm building permits. A copy of that email is attached. There were a number of specific technical issues with the Alta permit submittal documents and contractual issues with Cummins identified in that memo that to my knowledge were never answered. At least Aaron never got back to me with any response to these concerns.

I see that Aaron has moved on and that the County Board has appointed Dee Dee as the interim zoning officer. I also understand that the building permit for the Alta laydown yard (with noted concrete batch plant) has been issued and work has started.

Given my experience, and qualifications and interest in seeing Alta conform to ALL requirements of building codes, County ordinances, the approved SUP, and the design/construction documents, I would offer my services, initially at NO COST, to assist the County Board and the Zoning officer in completing this project. As you know this massive project has many impacts on the public and is in the public's spotlight through social media, and news media and deserves to have adequate County oversight. As I stated in my memo, having Cummins as the County's engineer for the purpose of "assisting with building permit reviews and construction observation" was a step in the right direction from a reasonably qualified technical perspective.

However, the overall project management for compliance to the county ordinances still is the County's responsibility. There must be clear and concise lines of communication of permit status, questions, issues, as well as construction observation reporting from Cummins to the Board.

This is not a project to be "managed by committee".

Terry, I would like to meet with you to share my concerns, and offer some specific recommendations to assure that Alta in the construction of the windfarm meets all the necessary code, ordinance, and contractual agreements with the County. Please feel free to call and discuss this very important project.

Respectfully,
Dana Korneman
217-620-3634

12/9/2020 (Email)

Aaron, we haven't met, welcome to DeWitt County.

I've been following the Alta Wind Farm permitting for several years. I'm also Chairman of the Clinton Planning Commission and a degreed mechanical engineer with many years of construction experience. I personally review most commercial building permits for the City to ordinance and code requirements. I stand ready to assist you and the board in any manner to help with your review of the permit application as well as construction observation. Please don't hesitate to reach out to me. I would like to meet you face to face at some point, and possibly sit in on any meetings you have with Cummins Engineering.

I obtained a copy of the Alta building permit application from Dee Dee. I also received a copy of the Construction Observation Agreement written by Alta, and I understand was approved by the County Board. I have a copy of the Agreement for Building Permit Review.

What edition of the IBC does the county have in place by ordinance? This is important as there are several references to codes in the permit application documents.

Upon reviewing the Building Permit and Observation Agreements, I find that you are the point person that Cummins will "offer assistance to" for the building permit review and "coordinate with and take direction from "for construction observation.

The building permit submittal, that I received appears to be lacking some specific information that I suggest should be included for Cummins and you to do a thorough permit review. Additionally, the permit documents provide information that should establish firm criteria for construction observation plan and documentation.

I would recommend you request and obtain a detailed Cummins Construction Observation Plan (COP). The Alta contract is somewhat vague and in my judgement incomplete in describing the scope and detail of the observations in addition to the basic scope in paragraph 2 Scope of Services. Based on my experience and review of the permit documents additional observation criteria should be included.

A few specific items from my review so far:

1. The Building Permit Application does not contain the design input information from the turbine generator manufacturer referenced (Siemens Gamesa Renewable Energy LLC SGRE) in the foundation design, and tower design documents. Perhaps this information was submitted but Dee Dee didn't include it. Since there are 3 different designers involved in this project, design interfaces are very important and to verify as part of the building permitting. These loads and load combinations should be reviewed and compared to the data on the foundation and tower design documents to confirm each engineering firm's (Barr Engineering Co. for foundations and Agbayani Structural Engineers for towers') design. There are also some "load factors" quoted that I'm not sure where they come from. Perhaps some wind tower design/ manufacturing standard, or AISC standard applicable to wind generation. I'm going to follow up on those myself with a couple structural engineers I know and work with.

2. The application does not contain soil boring logs or GeoTechnical reports that are used for foundation design. This is a critical parameter for foundation design, and construction and should be reviewed and filed with the permit to assure excavations and foundations are on subgrade that meets the foundation design engineer's requirements. Given the glacial till soils that are typical in DeWitt County, soil conditions can vary drastically from location to location. This can result in the need for additional excavation and select backfill/compaction to achieve uniform soil bearing capability over the entire foundation footprint. Alta should have a geotechnical consultant performing subgrade inspections and compaction verification. Cummins should observe, review geotechnical reports, and include in their observation reports that appropriate subgrade geotechnical approvals are in place prior to concrete pours.

3. Concrete mix designs, verification of placement slump, air entrainment, and add mix should be included in the COP criteria. While I would expect Alta or their foundation contractor to hire their own independent concrete test company, the County/Cummins' COP should include verification that concrete testing is being performed in accordance with code and design requirements. Additionally, the county and Cummins should request copies of concrete test reports for their files. Or at least audit frequently and document in reports that Alta has received, reviewed, and has on file these reports, including 28 day strength tests.

4. The COP observation should include verification of rebar placement, and to assure ALTA has qualified inspectors to verify rebar placement. The rebar size, placement, and concrete cover is critical to the foundation design/performance. Initial and then random verification of rebar placement should be included in the Cummins COP and reports.

5. The observation and verification of anchor bolt material and placement should be included in Cummin's COP. These are critical elements to the design, and correct material, and depth of embedment with embedment plates must be verified. Again, Alta and their construction contractor have primary inspection and acceptance responsibility, but the COP should include verification of this.

6. The tower design documents specify bolting criteria for base anchor bolts and tower joints. The COP should include verification that Alta's erection contractor properly installs all high strength bolting in accordance with the design documents. Alta must provide quality control verification of bolt prestress, and Cummin's must provide at least periodic observation of Alta's bolt tensioning, and calibration of equipment used in accordance with design documents.

7. The tower design documents provide detailed criteria and repair/rework processes for tower dents that may have occurred during shipment or erection. Given high stresses, and potential impacts to fatigue life considerations, dents must be properly dispositioned. Alta and their constructor must document all dent observations, and any repairs. The COP should include randomly observing tower conditions on receipt, and during erection to verify any dents are being dispositioned correctly.

8. The specific list of observations in the Construction Observation agreement are also important to assure placement of foundations and towers is in accordance with the permit documents, and DeWitt County ordinance.

Thanks for your attention to this important subject.

Dana Korneman
217-620-3634(c)
45 Somerset Drive
Clinton, IL

cc County Board Members

Cummins Engineering Corporation

135 West Lake Shore Drive
Springfield, Illinois 62703
Phone: 217-726-8570

May 4, 2021

DeeDee Rentmeister
Acting DeWitt County Zoning Administrator
201 West Washington Street
PO Box 439
Clinton, IL 61727-0439

Re: Alta Farms II Wind Project
General Review of All Building Permit Application Requirements

Dear Ms. Rentmeister:

Cummins Engineering Corporation (CEC) has completed our review for the general requirements of all Building Permit Applications. Attachments listed are based on Tradewind Energy submittal of November 5, 2020 and the various attachments for the Conditions for Special Use Permit 250-2019 (SUP) were included in our review. Specific SUP Conditions 4d, 4e, 4f, 5, 6, 13, 16, 17, 19, 20, and 21 are not included in the review as they are either non-related to the build permit process or will occur at a later date.

Special Use Permit 250-2019

Condition 1 – ~~Two agreements~~ “Operational Curtailment During Severe Weather” and ~~Data Sharing~~ were executed between Alta Farms II Wind Project and the National Weather Service Central Illinois on January 14, 2021. ~~Language in both agreements cover the requirements in this Condition.~~

Condition 2 – A review of the Shadow Flicker Analysis (October 29, 2020) was completed. There were eight receptors (four participating and four non-participating) identified in the analysis which are expected to experience more than 30 hours of shadow flicker. The methodology as explained does appear to provide the most conservative values.

Per Sections 3.4 ~~“Special Use Permit”~~ and 6-2 ~~“Mitigation”~~ (Attachment E), Alta Farm has stated:

~~Section 3.4~~ “... Alta Farms shall implement a curtailment strategy to reduce the expected shadow flicker to 30 hours or less within a calendar year. ...” and

Section 6.2 – The shadow monitoring software will determine if an occupied residence would experience shadow flicker given the actual meteorological and astronomical conditions observed at individual turbine locations and curtail turbines automatically to achieve the shadow flicker limits.

Condition 3 – The FAA Determination of No Hazard to Air Navigation for all turbines was approved on February 11, 2019 and an extension (Final) was granted for all turbines on August 18, 2020. This extension will expire on January 9, 2022. (Attachment C1, along with the individual building permits).

Condition 4(a) – The DeTech Harrier Aircraft Detection Lighting System (ADLS) Determination approval date was granted on November 4, 2020 and expires May 4, 2022. (Attachment C2, along with the Building Permit Applications for ADLS West and ADLS East).

Condition 4(b) – The location of the ADLS is included in two separate building permit applications for the west and east ADLS. (Building Permit Applications for ADLS West and ADLS East). Any further comments will be addressed in the individual Building Permit Applications.

Condition 4(c) – The DeTech Aircraft Detection Lighting System (ADLS) Determination approval date was granted on November 4, 2020 and expires on May 4, 2022. (Attachment C2, along with the Building Permit Applications for ADLS West and ADLS East).

Condition 7 – The DeWitt County Board passed the agreement with Alta Farms II on October 27, 2020 for the hiring of a third party (CEC) to assist in the review of the Building Permits Applications. CEC entered into an agreement with Alta Farms II on January 13, 2021.

Condition 8 – The Complaint Logging and Investigation Plan per Section 153.27(G)(2) was submitted to the county on July 28, 2020 and approved by DeWitt County on August 19, 2020. Four methods of filing a complaint is listed in Section I and are in place.

Condition 9 – A review of various studies and articles concerning decommissioning costs ranged from less than \$5,000 to over \$500,000 per turbine. Several variables impacted these costs such as type of turbines, height of turbines, year of decommissioning, location, bias of the study, etc. One study (May 2018) presented by Dr. Deb Luchsinger of Enercon Services, Inc. appeared to provide a reasonable review. The study looked at five wind projects ranging from \$19,850 to \$55,308 per turbine after salvage values were deducted.

The proposed “Decommissioning Plan Cost Evaluation” (Attachment G) from Tradewind Energy has an estimated cost after salvage of \$2,487,000 for 50 turbines or \$49,740 per turbine. The assumptions used in the evaluation appear to be reasonable and the cost falls in the upper range of the study cited above. The Decommissioning Agreement between Alta Farms II Wind Project and DeWitt County was entered on August 19, 2020. Per this agreement in Section 3d)* the author of the “Decommissioning Plan Cost Evaluation”, Jeffrey Kopp was a registered

Professional Engineer in the State of Illinois and in good standing at the time of the evaluation. Section 3e)* Alta Farms will provide updated decommissioning costs at specific time periods after the Commercial Operation Date. Other language in the agreement provides for financial security and remedies. * Note a signed copy of this agreement was not provided to CEC, therefore; the reference to 3d) and 3e) may have changed.

Per Section 153.30(6)(e) of the DeWitt County Code of Ordinances states and provides the county with other financial protection:

"The county is granted the right to seek injunctive relief to effect or complete decommissioning, as well as the county's right to seek reimbursement from the applicant or applicant's successor for decommissioning costs in excess of the amount deposited in financial account and to file a lien against any real estate owned by the applicant or applicant's successor, or in which they have an interest, for the amount of the excess, and to take all steps allowed by law to enforce the lien."

Condition 10 – It is CEC's understanding there are ongoing discussions between the Drainage Districts and Alta Farms. At this time as directed by DeWitt County Zoning Administrator, CEC recommendation for approval or denial of building permits within the Drainage District will be held until approval or comments have been received from the Drainage District. Depending on comments received these will be shown in the contingencies for the individual building permits.

Condition 11 – In review of Attachment G (SUP) with IDNR's recommendations, we discovered two turbines that appear to be within 500' of a perennial stream, all other setbacks appear to have been met. The two turbines are:

- Turbine 1 is approximately 260 feet from a tributary to Deer Creek. This was field reviewed and determined it is farmed and serves only as a drainage swell during periods of precipitation, therefore; not considered a perennial stream.
- Turbine 9 is approximately 255 feet from Deer Creek. ~~Alta Farms is currently working on a study to provide additional information to IDNR for a recommendation to DeWitt County. Once this study is completed and IDNR's recommendation is provided CEC will review and address any further concerns in the review of the individual building permits for Turbine 9.~~

Condition 12 – The SUP was approved July 14, 2020 with a deadline to submit Building Permit Applications within three years (July 14, 2023) from the date the SUP was approved and remains in compliance with the SUP. All the original permits were submitted on November 5, 2020.

Condition 14 – The final model, name plate capacity, and dimensions of the wind turbine for each Building Permit Application will be verified and included in CEC's recommendations for each individual building permit.

Condition 15 – All the Building Permit Applications were submitted as a group on November 5, 2020 in both paper and electronic formats.

Condition 18 – The Permanent Project Signage Plan During Operations was submitted on July 28, 2020 with approval given by DeWitt County on August 19, 2020. The review of actual signing will occur at a later date under the Construction Observation for the Building Permits.

Condition 22 – The review of Attachments H1, H2, and H3 for the "... offer a lease to all owners of real property that is not part of the SUP located within ½ mile of a final location of a Project wind turbine submitted for a building permit ..." will be reviewed with the individual building permit.

Condition 23 – The Sound Level Assessment (Attachment F) will be performed by another 3rd party; within 12 months of the Notice of Commercial Sale.

CEC did review the Sound Level Assessment, the methodology as explained does appear to provide the most conservative values. The values are within the values set in Section 153.27(C) of the DeWitt County Code of Ordinances and by the Illinois Pollution Control Board for actual decibels at specific frequencies as stated in Section 901.102 "Sound Emitted to Class A Land" of the Illinois Administrative Code.

DeWitt County Code of Ordinances

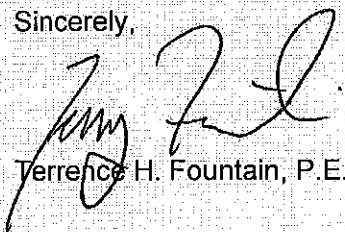
Section 153.10(C) The certification statements for the foundation design and wind turbine design for both the SW145 and SWT2.3 were made by separate letters. Both structural engineers are licensed in the State of Illinois, are in good standing, and the certification statement was provided. The review of the actual design or approval was not part of this review by CEC. (Attachments D1 thru D4).

All other conditions under Section 153.10 will be addressed under the individual building permits, were addressed under the SUP Conditions, or will occur in the future.

Applicable conditions under Sections 155.126 and 155.130 will be addressed under the individual building permits, were addressed under the SUP Conditions, or will occur in the future.

If you have any questions, do not hesitate to contact me at (217) 726-8570 office, (217) 414-4024 mobile, and/or at THFountain@cumminsengineering.com.

Sincerely,



Terrence H. Fountain, P.E.

Cummins Engineering Corporation

135 West Lake Shore Drive
Springfield, Illinois 62703
Phone: 217-726-8570

May 4, 2021

DeeDee Rentmeister
Acting DeWitt County Zoning Administrator
201 West Washington Street
PO Box 439
Clinton, IL 61727-0439

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DeWitt County Code of Ordinances

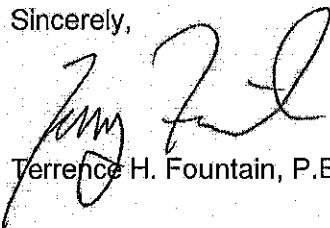
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If you have any questions, do not hesitate to contact me at (217) 726-8570 office, (217) 414-4024 mobile, and/or at THFountain@cumminsengineering.com.

Sincerely,



Terrence H. Fountain, P.E.

INSPECTION RECORD

Applicant's Name _____ Parcel # _____

Their Address _____

Permit # _____ Issued on _____ E-911 # _____

The signature of the Zoning Administrator notes approval of this project based upon inspections made as to its conformity to the regulations set forth in Title 15, Chapter 155 (Zoning), of the DeWitt County Code, as amended, and that the work performed by the applicant has been completed in strict accordance with the Plot Plan and any other diagrams, drawings or plans attached to this Permit (except for such changes as were authorized by the Administrator).

Signature _____

Dated _____

Staking Inspection

Call for inspection was received on _____

The inspection was made at _____ AM/PM on _____

The staking was found to be (as permitted) (not as permitted).

Inspection made by _____

Foundation inspection (90Days)

Call for inspection was received on _____

The inspection was made at _____ AM/PM on _____

The foundation was found to be (as permitted) (not as permitted).

Inspection made by _____

Enclosure of Building (150 Days)

Call for inspection was received on _____

The inspection was made at _____ AM/PM on _____

The enclosure was found to be (as permitted) (not as permitted).

Inspection made by _____

Final Inspection

Call for inspection was received on _____

The inspection was made at _____ AM/PM on _____

The final was found to be (as permitted) (not as permitted).

Inspection made by _____