



VOT SPECIAL BOARD MEETING Minutes

VILLAGE OF TILTON

3/26/2026 6:00 PMCDT

@ 1001 TILTON RD, TILTON IL 61833

1. CALL TO ORDER
MAYOR CALLED MEETING TO ORDER AT 6PM
2. ROLL CALL

Attendance

Present:

Members: John Barnes - Board Trustee, Lori Fields - Village Clerk, Bob Finley - Board Trustee, Courtney George - Board Trustee, Tiffany Jones-McClellan - Village Administrator, Virgil Sheets - Board Trustee, Vanessa Sims - Board Trustee, Cassidy Warrick - Treasurer, Billy Wear - Village Mayor, Mike Weidenburner - Board Trustee

Attendance

Present:

Members: Tom Overmyer - Village Engineer, DAVID WESNER, VILLAGE COUNSEL

3. AMEND AGENDA AS PRESENTED TO ADD SECTION FOR AUDIENCE ITEM #9

Motion:

MOTION TO AMEND AGENDA AS PRESENTED TO ADD SECTION FOR AUDIENCE ITEM #9

Motion moved by Mike Weidenburner and motion seconded by Virgil Sheets. 6 AYES, 0 NAYES, MOTION PASSED

4. APPROVAL MARCH 4, 2026, SPECIAL BOARD MEETING MINUTES

Motion:

MOTION FOR APPROVAL MARCH 4, 2026, SPECIAL BOARD MEETING MINUTES

Motion moved by Bob Finley and motion seconded by John Barnes. 6 AYES, 0 NAYES, MOTION PASSED

5. APPROVAL MARCH 4, 2026, ORDINANCE COMMITTEE MEETING MINUTES

Motion:

MOTION FOR APPROVAL MARCH 4, 2026, ORDINANCE COMMITTEE MEETING MINUTES

Motion moved by Vanessa Sims and motion seconded by Mike Weidenburner. 2 AYES, 0 NAYES, MOTION PASSED

6. 15TH AND LANE STREET PAY ESTIMATE

Motion:

MOTION FOR MIDWEST ASPHALT PAY ESTIMATE #2 FOR 15TH AND LANE STREET FOR \$380,448.54

Motion moved by Bob Finley and motion seconded by Vanessa Sims. 6 AYES, 0 NAYES, MOTION APPROVED

7. O2026-0326 - AN ORDINANCE AUTHORIZING A REDEVELOPMENT AGREEMENT FOR THE DEVELOPMENT OF NEW RESIDENTIAL APARTMENT BUILDINGS BY RS QUICK PROPERTIES, LLC UTILIZING TAX INCREMENT FINANCING

Motion:

MOTION FOR O2026-0326 - AN ORDINANCE AUTHORIZING A REDEVELOPMENT AGREEMENT FOR THE DEVELOPMENT OF NEW RESIDENTIAL APARTMENT BUILDINGS BY RS QUICK PROPERTIES, LLC UTILIZING TAX INCREMENT FINANCING

Motion moved by Virgil Sheets and motion seconded by John Barnes. 6 AYES, 0 NAYES, MOTION PASSED

8. SOLAR ORDINANCE-DRAFT DISCUSSION ONLY

Mayor states the purpose of this meeting is for the board to discuss and add revisions to the Solar Ordinance draft. To hear recommendations and objections from Earthrise Energy, land owners and consultants. The public and non elected members will be offered a chance to speak after the primary group and individuals are done. No interruptions will be tolerated or outbursts and consider this as the first warning. This board is here to consider all arguments to draw up the final version of the ordinance. Interruptions will distract from the goal of this meeting. The final vote will be taken at a later date. All comments and opinions will be heard respectfully. Will follow the draft ordinance in sections and separately, according to the order of the draft. The first one is residential. Residential will stay as a whole, as this is transfer from the original ordinance. The CFEF and USSEF will be done by section and subsections. Earthrise Energy, land owners and consultants will be offered to comment first, so the board can hear any objections. There will be a roll call for the trustees comments, suggestions for each section and subsection. This will be done without any interruption. Board members may ask follow up questions on prior topics during their time and ask they state what prior topic they are following up on. Upon completion of the ordinance draft and a roll call of the board for followup, we will move to public comment. This will start with a roll call of the unelected members of this board, then move to the general public for comment. The public will be offered 3 minutes to speak and request you go to the podium so you are able to see the clock. At the end of the public comments, a roll call shall be done to allow board members to follow up on all comments made. All comments shall be courteous and respectful. My responsibility to run the meeting and answer questions directly to me on items that was put into the ordinance, as myself, City Administrator and Village Attorney David Wesner prepared the draft.

States contacted Paul Mwebaze, research economist and visiting scholar at the Institute of Sustainability Energy and Environment at the University of Illinois, Champaign Urbana. He specializes in environmental, land use and agricultural economics, specifically focusing on agriovoltaics, integrating solar panels in agriculture for the Scapes Project. Will read what was sent today on his recommendations and comments.

(Copied from email provided)

I browsed through the draft quickly and have a few comments below. It feels a bit restrictive with some rare requirements, but maybe that is what is needed. I recommend incorporating agrivoltaics to increase political acceptance, among other benefits. These are my initial thoughts; I may be mistaken on some points. I hope the comments are useful.

Overall Assessment

The draft ordinance is strong in regulatory control, environmental safeguards, and public safety provisions. However, it leans heavily toward restrictive regulation, which may discourage investment, increase legal vulnerability, and reduce flexibility.

Key Strategic Feedback

1. Balance: Regulation vs Feasibility

The ordinance should include a purpose statement emphasizing support for renewable energy alongside community protection to ensure legal defensibility.

2. Internal Consistency & Legal Risk

Some provisions (e.g., EMF testing, groundwater monitoring, large setbacks) may be difficult to justify and could face legal challenges. Align more closely with Illinois norms and include “to the extent permitted by law” where appropriate.

3. Developer vs Community Framing

Reframe sections to emphasize land-use compatibility, agricultural integration, and local economic benefits.

Section-Specific Comments

Definitions

Clarify AIMA wording and consider adding a definition for agrivoltaics.

Accessory Use

Generally strong. Consider reducing redundancy and allowing more by-right installations.

Principal Use

Setbacks

Current setbacks (500–1800 ft) are likely excessive. Consider reducing or allowing waivers.

Groundwater Testing

Replace with baseline testing and conditional monitoring.

EMF Testing

Remove or align with recognized standards.

Agricultural Integration

Add provisions encouraging dual-use agrivoltaics and continued farming.

Decommissioning

Very strong section. Minor simplification recommended.

Fees & Reporting

Consider reducing reporting frequency and clarifying fee justification.

Landscaping & Screening

Allow more flexible, context-specific screening approaches.

Community Concerns Assessment

Property values: partially addressed

Visual impact: strongly addressed

Environmental risk: strongly addressed (possibly excessive)

Safety: strongly addressed

Agricultural land use: partially addressed

Local control: strongly addressed

Key Recommendations

1. Reduce setback requirements
2. Remove or revise EMF and groundwater testing
3. Add agrivoltaics provisions
4. Introduce flexibility in design standards
5. Add a balancing purpose statement

Justin Pau - Associate fellow representing Earthrise Energy. Would like to thank the Village and Mayor allowing feedback on this ordinance. Want to acknowledge the time and effort taken to drafting this ordinance. We the share the villages goal of assuring that development is responsible. Our team is committed to working in Tilton and working _____ as well as land owners who have made a voluntary and informed decision to put solar on their property. We would like to discuss some of the concerns with regards to a couple different provisions with in the draft ordinance. As written, _____ for any regulations and set standards that are overly restrictive and some case effectively prohibits solar. In practice, some of these provisions will do more than change development, it will effect it all together. We believe that some of the provisions, while in theory good natured, are not__ should be regulated by a safe entity as the Illinois Department of Natural Resources or the Illinois Pollution

Control Board. _____concerns not to oppose regulations but to encourage boundaries. We believe there is a path forward to allow the Village to put appropriate_____in place, while still serving land owner rights and enabling economically viable projects. We are here to be partners in that process and we welcome the opportunity to work with the Village to refine the ordinance to protect community interests, respect private property rights and still allow responsible solar development moving forward. Thank you.

Emory Osman - Senior Director of Earthrise. Have a few topics here to be discussion based. Will go over each one and you could respond or ask questions. We do want to work the Village to develop a project that everybody is satisfied with. Again, we do thank the Village and community for allowing us to come and speak today and review your draft ordinance, and provide our input as well. I will just go through a couple of the more important ones we wanted to go over. First being the setbacks, find 1800 feet to fact is very effective. We ran a study across 51 counties in Illinois and 100 of the closest municipalities to Tilton, their ordinances and setbacks and found that greatest setback was about 500 feet, with most municipalities are around 300 feet. So this 1800 foot proposal is 3 times greater than the largest one and 12 times greater than the _____ build. Next item is the Tier 1 and Tier 2 development categories. In Tier 1, within the first half mile, you have known utilities _____solar, so with that in addition to the 1800 feet, we are probably looking at project somewhere around 2400-2600 feet, which is again, overly restrictive in our opinions. The next item was the storm water and ground water testing. We would like a little more definition around that because storm water and ground water are different things, so we would like clarity at which one we are really looking for. In addition to that, our real issue around this is that this whole area has had many projects in the past that, in of itself, comes with environmental concerns. _____sites to the east. Like the GM foundry that was there, the closed coal mines are northwest side. Many of which have not been remediated. So our concern there is that over time, what if something from those sites, travel into our sites. We don't believe we could be held liable for something like that. Next, I want to go over the decommissioning requirements. We would ask that the decommissioning of 6 months be revised to align with the agricultural impact litigation agreement of 1 year. 6 months is a very short time span to decommission our project, especially if that project is started in like November/December, which is winter time, which we would be losing 2- 3 months anyways. So we would request from the board that they revise that to 1 year. We would also request that the bond issuance rating be reduced to A minus from A plus. Finally as one of our greater points that we wanted to touch on, the special use permit time period, we would ask that be revised from 25 to 35 years. The reason behind that is this equipment, the modules, invertors, everything is guaranteed to be efficient up to 35 years. The financing of these projects, the cash flows are calculated based on 35 years, so we strongly request that be revised to a 35 year time span.

Kyle Baer - Attorney from McGuire Woods. I live and based in Springfield. I have been working in the renewable space for about 20 years now. Have alot of experience in this space in terms of zoning and permitting. I have worked in about half of Illinois' 102 counties, on various types of projects, in front of county government and some municipal governments. By way of comparison, I saw a couple of months ago, the State released a report advising that there now approximately 14 gigawatts of renewable energy projects installed in the state. I have tallied it up and I have worked on about 5 1/2 gigawatts permitting, financing projects in the state of Illinois. So I have seen a few things when it comes to solar ordinances, wind ordinances and other types of ordinances. I wanted to address a few of the provisions in the proposed ordinance.

The first one is the wildlife passage. It seems rather vague, so it is hard to determine what the intent is. Have some questions whether the village has the legal authority to regulate something like that. I think something more akin to conservation area, or a park, that would be more applicable. But vaguely referencing a wildlife passage area, again think in draft it is too vague to enforce. I understand the point, but I am not entirely determining what that means.

Concerns on the noise regulation, there is a reference to the Illinois Pollution Control Board regulations, but the ordinance does not follow them. Couple reason, one is says something venturing to the property line and Illinois Pollution Control Board regulations do not measure to the property line, they do measure based on zoning. They focus on use and there are categories and numeric standards that apply to one use to another. There is a reference to excessive noise, during construction or maybe working hours. The Illinois Pollution Control Board exempts noise levels during construction activities. Then as working hours, there is no definition what excessive noise is, so I think that is going to be hard to enforce as a standard.

In terms of the EMF testing, seen a lot of these ordinances. Have helped a couple counties advise them on drafting them over the years and have never seen any ordinance that focus's on EMF or attempts to regulate EMF. Part of the problem with this, that there are studies, including one by North Carolina State University, that clearly states that solar projects do not impose risks for EMF, or at least to human health, primarily because the distances outside the facility and the fence. So other words, if your standing on the other side of the fence from a solar facility, the studies show that doesn't pose a risk to human health. The other problem is that there is EMF in this room right now and the EMF outside the fence of a solar project are going to be lower than many other facilities around the state. Not sure there is going to be a solid justification for the EMF. I agree the Professor on that point. Think whatever setbacks you adopt, will help any potential concerns with EMF as well. I also want to say I agree with the Professor that the 1800 feet is excessive and again, I have not seen any setback like that, unless a permitting authority is seeking to exclude the use. So a setback of 1800 feet, sends a message to me is that village doesn't want solar.

On the drainage tile section, it is comprehensively covered by the AIMA. If your not aware, the Illinois Farm Bureau was instrumental in adopting first, the wind AIMA and then the solar AIMA. I voluntarily made some contribution to the Illinois Department of Agriculture team for developing that. I advised them a little on that. Again, the Farm Bureau is very involved with it and satisfied with those standards. One requirement in the drainage tile section under the proposed ordinance, relates giving the neighboring land owner the ability essentially veto a drain tile system. This is my opinion, that is opposite of what the Illinois Drainage Code allows for. The Illinois Drainage Code gives land owners a right to modify their drainage system as long as they comply with certain standards and conditions. In other words, as long as they don't materially increase the flow on the neighboring properties, they have a right to do it. I believe the code allows you to go to circuit court if the neighbor is not cooperating. Again, as drafted, the ordinance may have that upside down. Seems to be a requirement to stay consistent with the original tile alignment. That is difficult to do with a solar project, particularly with the lateral lines. Most solar projects will attempt to avoid damaging the main tile lines, but with the laterals, that is very difficult to do. At the AIMA, expressed the that the developers are allowed to reroute and land owners are allowed to reroute the tile system around the solar project. Because again, it contemplates many of the lateral lines might be damaged during the process. Again, rerouted around the edge, to make sure you main the integrity of the drainage flow.

On the fencing, I just want to point out that the 10 foot requirement is taller than what the National Electric Code requires. You are certainly entitled to do that, but just wanted to mention that it seems that there are two standards of belt and suspenders approach because there is the vegetative screen requirement, but also opaque fence requirement. I think opaque fencing can be difficult, unless you're doing a solid wall, which is a choice, but it is not visually appealing. What typically I see happen with solar projects, they use oxide fencing, which is consistent with the other fencing in the ag areas. Again, if you do screening on the fencing, with a fabric, it tends to tear frequently. Just some things to think about there.

One last thing I wanted to mention. There is a restriction, even Paul with the U of I, he mentioned the agrivoltaics. There is a restriction in the proposed ordinance to the height of the vegetation. I am not sure when peasant season is, so maybe it lines up ok. But the problem if you restrict the height of native plants, is particularly for pollinators, they need to grow to a certain height, which is taller than 10 inches otherwise they won't seed. Though I believe it is ok to limit the height, but you should only do that after the plants have had an opportunity to seed and propagate. Otherwise, it is making it more difficult for those native plants to establish themselves. I have some experience with that issue because in Will County, they have similar ordinance where their ordinance restricts the height to 13 inches, they frequently grant variances and I have a landscape architect who testifies about the issue of propagations on that.

Trustee Sims questioned that this was discussion and people were limited to 3 minutes. Mayor states Earthrise, land owners and consultants, they are pleading their objections.

Mayor asks Earthrise if they have anything more? No response.

Mayor poll of board members:

Mike, not at this time.

Bob, how tall are the panels? Mr. Pau states around 7-9 feet. Bob, on the monitoring, what do you, as last weekend, saw solar farms were pretty much destroyed by hail. We have had that in this area. Once they have damage done to them, how do they monitor if there is any leaching out into the land. Earthrise-in our projects, we use a tracking system, which will follow the sun throughout the day. That the entire power plant will be connected to local meteorological stations, where we have subscriptions so we can get live time data from them. So when there is some type of a situation like a hail storm or extreme wind, the project has a mode that called STO (?) mode and it will turn all the panels vertical, so hail doesn't directly make contact with the panels. Outside of that, panels don't break like regular glass. They are tempered so they break like your car windshield would break and they have high wind load resistance as well. As far as leaching, while there panels in the market do have toxic materials in them, like cadmium, none of the panels we use on our projects have any toxic materials inside of them. It plastics, glass, aluminum. But there is no liquid inside the panels.

Virgil, no.

Vanessa, no

John, not at this time.

Courtney, no.

Mayor asks if there is any land owners present?

Douglas Kirk - I am a member the Smoot family farm. It occurs to me that we might be one of the very few commercial scale land farms operating with a Tilton address. Our farm is located on the Catlin Tilton Road and my farming partner and cousin Jed Smoot lives on the property today. It is a central homestead and farmland that we have there is essentially the core that has held our family together in thick and thin through the years. Coming to terms with Earthrise or anyone developing those properties is a really big deal to us and our family. We spent 18 months plus contemplating it, thinking about it, negotiating on it, not returning their phone calls, being slow to move forward and eventually come to terms to agree to be part of this development. It certainly is not the first time that we have dealt with solar or even wind. 99% of the potential developments we have turned away. I think it is my full time job answering phone calls, taking meetings with solar and developers these last couple of years. So I have seen alot of projects and not given too many of them a second thought. But this one is uniquely cited. Such as the benefits of it far outweigh the down side. I recognize that this project is someway at Tilton's back porch. In my home community of Catlin and Salt Fork School District, it really our front porch. And all Tilton has made a lot of decisions over the years, that have led to good economic growth and a tax base keeps broadening and we don't have that in rural Catlin community and Salt Fork school community.

When I started farming, and I am 45 years old, paid land taxes just around \$30 an acre. Today, in Salt Fork School District, we have farms that have \$75 an acre for bare dirt. That is bizzare as the standard amount of money you might expect to make on acre of farm land, farming year after year, after all costs is probably around \$50. You pay more in property taxes than you could expect to farm. We have farm families who invest in farms outside their core area, who won't come into our area due to the real estate taxes are too high. We are a lot about our school district. We like very much the life we live because of the way our community was built by people like you who made decisions to help get it to where it is. But I contend we have a standard of living that we already cannot afford. We don't have a lot of other alternatives to increase our tax base and I think this project with its \$700-800,000 into the school district is extremely significant. And even though we might be consider it to be at Tilton's back door, I ask that you consider those of us who live and farm there, and the community of Catlin itself. I heard earlier, 1800 feet for setback and hadn't heard that. And my reaction as a farmer is, it is going to take a lot more farm land to do a solar project with a set back like that. I think in doing so, you are going to impact a lot of the farm land and cut it up, depriving it of its uses as agricultural land that you cut up. I do not think that is a good idea. One reason that this project, situated where it is, is unique to all the others that we see. For instance, no body lives, no one is going to be living inside the area of panels that will surround the area. There are only two houses that are adjacent to the panels that they are proposing and our family owns one of them. But it won't be on 3-4 sides, you can drive to some solar _____ the case. I heard something about vegetation and from a farmers prospective, we really and are hopeful that we get native grasses and flowers for vegetation. They are densely and easily rooted and help with filtration and we will have better soil to help under the panels than we have today with farming. So I would like to see encouragement for economic growth and development. And with rural community, it does not come along very often. Especially something so substantial. I am in favor of this project and I applaud you folks that serve on these boards, I couldn't do it, it takes a lot of guts and courage. I would like to recognize your service and thank you for inviting me here tonight.

Brian Kedas - I live on the north side of 74 on Leverich Road which is halfway between Catlin and Tilton. This project is going to affect me in two ways. They are going to run the power lines through my property, the 400 acres that I own north of the interstate. Also, I feel like this will be less impact on our chances down the road so it will better allow me a better lifestyle as I try to retire. So my address is actually Danville. I live in Danville Township, my kids go to Catlin Schools, but if anyone asks me where I live, I say Tilton. I go to Tru Grit, buy my groceries at County Market, buy my gas at the Marathon. It appears to me, one thing about the 1800 foot setback, I do not know much about politics, but to me, if somebody puts a fence on their property, does it matter if it's 50 inside their property, or on the property line. If my neighbor decides to build a house, it is going to be wherever they want, not where I want it. With the buffer strip, I feel that is a fair trade off for your vision when you drive down the road that upsets you, that will take up some of that. As far as the pollution goes, I own 400 acres with my brother who is on the north side of the interstate. I feel like the east side of this project will run downhill to me, or the Earthrise peaker plant is closer to me than anybody else. I will tell you that I am terrified of the interstate. You want to talk to me about your worried about pollution, I am worried about anything that is going to happen on that interstate. Run into those ditches that runs, first of all, my 2200 acre pond, that runs north off the interstate, then there my 22 acre pond and down to my 12 acre pond, it goes into the river after that. My biggest concern is the pollution that you are worried on this, is that going to be measured upstream from the interstate or downstream from the interstate and how that is going to affect the project. Between diesel fuel spills or anything else that could be going on on the interstate, that is my biggest concern about pollution on my property that is downhill from the solar farm.

The next thing is that the population of Vermilion County, in the paper I handed out. In the last 15 years it has gone down by 12,000 people, which is basically almost, sorry 8700 people which is 11%. So to me, that means there is going to be less people to tax on property taxes, so the people who do pay property tax are going to have to step more and more to provide services for the village of Tilton, police who answer the call when I call, the fire department when they come to put out a brush pile that gets away from me. Or the public works that takes care of the park that I go to on Saturdays during the summer time to see the concerts. I think it is all represented in the population because if you have less people, you are obviously going to pay more property taxes and in order to absorb this and with inflation being what it is on everyone, I am sure that the cities costs go up to provide these services, as well as everybody else. At some point the trajectory is going to the means, heart attacks are going to go up is my fear. These are the points I wanted to make about the pollution, property tax. Even if you say you want to raise sale tax or anything else, with less people in the county, there is less people to pay sales tax, and dare I say it, the dirty word Champaign. You have people going to Champaign and spend the day and spend half their paycheck there. I don't think we can turn our backs on a project that will provide us with some kind of income because at this point, the _____ in Illinois is conducive to industry, bringing in more money to this area. I don't know the numbers on the taxes, who they are going to go to, whether to the village or the fire department or who it is going to be. But at this point, if not accepting tax money from a solar project, don't know if there is a dozen solar projects in Danville. They are building one in Hegler, they are starting one in Rankin on Monday. There is three in Ridgefarm. And not making it easier for them to be there as opposed to harder. The one they are going to build on Lyons Road is the north edge will be a mile away from here and the south edge would be 2 miles away from here, and that solar project, you can't help but be right up against the town of Belgium because Lyons Road is part of Lyons yard that they are going to put it on. There are residents to the east of Lyons yard and residents on the opposite side of the road, to the south, which is in spitting distance basically of that project. But yet, we are going to miss this

opportunity for this here for the 1800 foot setbacks to make this more conducive. The other great that if you want less visual, you don't want spread a solar project out over 4-5 farms, this going to be on two locations, two different farms and it will all be together in one area, with buffer strip around it, as opposed to having to move it around. I think the one in Gibson City might be over a dozen different farms in multiple counties. Where this one here is going to be located together in one area. The north border will be the interstate. If you are going to say going down the interstate is going to bother you seeing a solar farm, go run to Indianapolis and see the walls around that. There is nothing uglier than that. I would like to thank you for your time.

Mayor Wear - Mr. Kedas, I would like to let you know so you have your information correct. The Village of Tilton does not assess a real estate tax. Mr. Kedas - I realize it doesn't but it is the trickle down effect of the residents in the county that have to take up the slack.

Mayor Wear asked for any other land owners, consultants? Female stated she owns land but not attached to this, so could you be more specific? Mayor Wear asked if you are a land owner between Tilton and Catlin. She states no, not between Tilton and Catlin.

Mayor Wear - poll of board members for questions to the land owners. Mike, no. Bob, no. Virgil, no. Vanessa - one thing, is there a website where the money is going for this project? Answer was yes. Vanessa states that Earthrise has it on their website. John, no. Courtney, no.

Mayor Wear - Ordinance draft. The first part is the residential. Does anybody have questions on the residential? Mike - asked to start with someone else. Mayor states wanted to also interject a question as just seen this today. Dave (Wesner), I noticed that in two sections of the residential, one says flush mount, which to me means at grade with the roof. Then it is contrary to section 3, part D, where it is not a flush mount. Is there a difference in the two because of a business or what? Dave - this is geared for accessory use and so realistically it could be residential, it could be commercial. That is obviously mostly driven to inside the village limits and that's where your development currently exists. As an accessory use, it is just adding to existing properties. We covered on the ground for that for the idea between flush and non flush mount, it is a question obviously for yourself as a board, do you want that panel kind of within the confines the roof line itself or will you allow it to sit up on top of the roof.

Bob, any questions on the residential? The potential glare off the panels. Is there some type of film they could put over them? Because I do know one if your heading west on Ramp Road, there is certain time of the year that it is straight down the road and you can't see. Is that something that could be retroactive so if someone had one, it could be said you have panels potentially.. Mayor - normally things happen through grandfather. Bob - I know the grandfather. Mayor- we could ask the individual. Mike states its potentially a safety concern. Mayor states I mean if its retroactive, we could work with them to get them take care of the glare.

Mayor, Mike did you come up with anything for residential? Mike - no. Virgil- no, Vanessa-no, John - no, Courtney -no.

Mayor- we will move to why everyone is here. This will be discussion about community solar and utility scale solar. This starts on page 6, Principal Use. Part of this was addressed by Earthrise.

Section 350.52 Principal Use

A. An CSEF or an USSEF, in other words commercial or community or utility grade solar, as a principal use may be allowed only as follows:

1. Within Village corporate limits: An CSEF may be allowed as a special use only in Industrial Zoning districts upon the issuance of a special use permit which incorporates applicable standards, conditions and requirements set forth in this section.
2. Tier I: An CSEF of no greater than 20 acres may be allowed as a special use upon the issuance of a special use permit which incorporates applicable standards, conditions and requirements set forth in this section. Any CSEF constructed within Tier I must be a minimum of 2.5 miles from any other CSEF.
3. Tier II: An CSEF or a USSEF may be allowed as a special use upon the issuance of a special use permit which incorporates the standards, conditions and requirements set forth in this section.

Mayor - Section A. Poll of board members: Mike - no. Bob - no. Virgil - no. Vanessa - no. John - no. Courtney - no

Mayor - Section B

B. The application for a principal use CSEF or USSEF shall include the following:

1. Name and address of the applicant and owner of the SES, if different from the applicant;
2. The location of the SES;
3. A scale drawing of the SES;
4. The anticipated size and megawatts of the SES; and,
5. Any additional information requested by the Village.

Mayor - Section B. Poll of board members: Mike - no. Bob - no. Virgil - no. Vanessa - no. John - no. Courtney - no.

Mayor - Section C

C. The application shall be submitted to the Village Clerk and be accompanied by an application fee of \$1,000 per megawatt. If the Village issues a special use permit, the Facility Owner shall pay an annual fee to the Village in the amount of \$1,000 for monitoring compliance with the standards, conditions and requirements of the special use permit.

Mayor states he believes this is one of the issues brought up by Earthrise. Earthrise responds they do not have any issues with it.

Mayor - Section C. Poll of board members:

Mike - \$1000 per megawatt, how many megawatts are you proposing? Earthrise 158. Mike - the \$1000.00 for monitoring, who is going to monitor that? Mayor - I will refer question to attorney. Dave Wesner - a Village staff person, once you get more into this about stuff they have to comply with is built around staff. Mike - do you feel the \$1000.00 is enough? Dave - discussions about how much time we think it is going to take. That monitoring is not going to be done everyday. We will want some type of periodic monitoring.

Mike - has there been any special use permits already filed? City Administrator states we have received one but we are under the moratorium so we cannot review it at this time. Mike - would Earthrise be filing under a LCC? Earthrise states it would be a LLC, Tilton Solar Energy LLC or something to that. The reason we do that is the financing mainly.

Bob - no. Virgil - no. Vanessa - no. John - no. Courtney - no.

Mayor - Section D

D. Development Standards

1. A Facility must be installed according to manufacturer specifications and in accordance with all applicable codes and ordinances, including the Illinois State Electrical Code and National Electrical Code.
2. SES components must have a UL listing.
 3. Height: Ground or pole-mounted solar energy systems shall not exceed twenty feet (20') in height when oriented at maximum tilt.
 4. Setbacks: The minimum setback for a CSES shall be 500 feet. The minimum setback for the solar panels and their necessary parts, connections, wires or other facilities for a USSES shall be 1800 feet, except in the case of an adjoining property owner who participates in the USSES or otherwise approves a setback closer than 1800 feet where such closer setback applies solely to such property. The minimum setback for any buildings and inverters associated with a USSES shall be 800 feet. On property used for agricultural purposes in conjunction with a USSES, crops of the landowner's choice shall be planted within the setback area, but which shall not be considered plantings or other landscaping required by this section. Upon completion of a CSES or USSES, any new construction occurring closer than the required set back shall not require the Facility Owner to remove any components of the SES.
 5. Lot Size: A Facility may be no smaller than ten (10) acres.
 6. Signs: Suitable warning signs containing a telephone number for emergency calls shall face all access approaches to the facility. All signs shall comply with applicable Village codes.
 7. Lot Coverage: Not more than twenty five percent (25%) of the gross site area shall be occupied by enclosed buildings, each of which shall comply with the applicable bulk regulations of the relevant zoning district.
 8. Stormwater And NPDES: A Facility shall be subject to stormwater management and erosion and sediment control provisions and NPDES permit requirements. A Facility shall construct and maintain a small stormwater detention basin for collection of ground water samples for periodic testing. Ground water shall be tested no less than once a year with the result provided to the Village and surrounding residents. If any results require mitigation of pollutants, the Facility Owner shall provide for immediate mitigation of such pollutants. The first test shall be conducted prior to construction and installation of the Facility. If the results of testing do not show any contamination over a 5 year period, testing shall only be required every 5 years.
 9. Ground Cover and Buffer Areas: Topsoil shall not be exported during development, unless part of a remediation effort or for stormwater management. When a Facility is to be constructed on formerly agricultural land, the developer shall comply with the Illinois Department of Agriculture Water and Sewer Line Construction Standards and Policies related to topsoil management and replacement. Soils on the outside perimeter of the facility equipment shall be planted to and maintained in perennial vegetation to prevent erosion, manage runoff and build soil. Seeds should include a mix of grasses and wildflowers native to the region of the project site and shall include deep-rooted native grasses as well as pollinators. All groundcover shall be kept to a height of no more than 10", except during nesting season for pheasant and quail. No soil sterilant shall be permitted on the site.

10. Foundations: A qualified engineer shall certify that the foundation and design of the solar mounting devices are within accepted professional standards, given local soil and climate conditions.
11. Other Standards and Codes: A Facility shall be in compliance with all applicable local, State and Federal regulatory codes.
12. Visibility: A Facility shall be designed to be screened from routine view from public rights-of-way and residential uses which are visible from the property on which the system is installed. The Facility shall be set back from the screening device and landscaping so as to not affect the operation of the system. The Facility shall comply with fencing, landscaping and screening requirements described in the Village Code or as may be included in a special use permit. If new residential construction occurs in the sight line of a Facility and no screening is in place, screening shall be installed at the time of the residential construction.
13. Glare; Reflection: A Facility shall be designed and installed to prohibit light reflection towards adjacent rights-of-way and any habitable portion of nearby structures that are not integrated into the system. Measures to minimize glare include selective placement of the system, screening, modifying the orientation of the system, reducing use of a reflector system, or other remedies that limit glare. All solar panels shall be treated for anti-glare.
14. Lighting: Lighting may be installed for safety and security purposes. All lighting shall be shielded and downcast such that light does not spill onto adjacent parcels and is not directed at any residential premises located in close proximity to the property on which the system is located.
15. Cooling system. If a cooling system is installed to service the Facility, the system will be self-contained to prevent any runoff. Storage tanks will be drained in preparation for winter temperatures to prevent any breaks or leaks from the system. The system will be flushed prior to re-filling and all liquids shall be contained and disposed of in a proper manner.
16. The Facility Owner shall not use underground water, such as through a well, for any water supply to the Facility. Any water to be utilized by the Facility shall be through the local water company that serves the area of the property.
17. Power And Communication Lines: Power and communication lines running between banks of solar panels shall be buried underground. Power and communication lines running to nearby electric substations or interconnections with buildings shall be buried underground to the extent practicable, subject to utility requirements. Exemptions may be granted by the Village in instances where shallow bedrock, water courses, or other elements of the natural landscape interfere with the ability to bury lines, or distance makes undergrounding infeasible, at the discretion of the Village. Any mechanical equipment which supports the operation of the Facility shall be placed in a secure building located at the farthest distance from the closest structure on any nearby property. Fire suppression shall be installed in the building with a dial-type alarm system. The Facility shall include a rapid shutoff by which the whole Facility system may be shutdown in case of emergency. The location of the rapid shutoff shall be provided to emergency departments.
18. Roads. Any roads or access ways within the property shall be designed for the maneuverability of emergency equipment, including fire apparatus. All roads shall be cleared of snow if the snow accumulation is 2" or greater in order to allow access by emergency responders.
19. Wildlife Passage. In areas identified as containing important wildlife habitat, the facility shall be designed, to the maximum extent feasible, to allow continued use of the site for wildlife habitat and migration across the site.
20. Fencing, Landscaping. The perimeter of the Facility shall be enclosed by opaque fencing having a height of at least 10 feet and no more than 25 feet. Plantings and trees shall be installed on

all sides of the Facility to block the view of the Facility. Plantings shall be at least 4' in height and be conifer type plantings. Law enforcement and emergency services shall be provided a means to access and enter the property as well as any buildings which may be allowed by a knock box. Any fencing that becomes damaged or deteriorated shall be replaced immediately. Any landscaping that becomes damaged, decayed or more than 35% dead shall be replaced immediately.

21. The Facility Owner shall provide for weed control in a manner that prevents the spread of weeds and which shall be performed by a person certified in the application of weed control products.
22. Noise levels shall be regulated by the Illinois Pollution Control Board rules and regulations. Noise level tests shall be performed before, during and after construction when the system is in operation. Noise levels during operation shall not exceed reasonable levels or any level established by the Illinois Pollution Control Board's rules at the edge of the Facility property. Any construction, installation or maintenance work that is likely to create excessive noise shall only occur during the hours of 8:00am to 3:00pm Monday through Friday.
23. Dust. Any contractor or worker performing work on the property shall be responsible for dust abatement during the work, including from any trucking to and from the property.
24. EMF Testing. Before construction and once the system is operational, the Facility Owner shall provide for or conduct EMF testing at 50' intervals until the reading returns to the same level as existed prior to construction. The information shall be provided to the Village and to surrounding residents. Warnings concerning EMF shall be posted at all entrances leading to the property relaying the distance at which EMF is located and contact information.
25. All solid wastes, whether generated from supplies, equipment parts, packaging, operation or maintenance of the Facility, including old parts and equipment, shall be removed from the site immediately and disposed of in an appropriate manner. Any and all hazardous waste generated by the operation and maintenance of the Facility, including but not limited to lubricating materials, shall be removed from the site immediately and disposed of in a manner consistent with all local, state, and federal rules and regulations. Any damaged solar panels or equipment shall be immediately removed from the site.
26. No outside storage of materials or replacement panels shall be allowed on the property. Storage of any replacement panels or materials shall be in a fully enclosed structure.
27. The Facility Owner shall provide Village staff access to the property for the purposes described in this Chapter and to inspect the facility for compliance with this Chapter and the special use permit conditions.
28. The Facility Owner shall maintain a current general liability insurance policy covering bodily injury and property damage with limits of at least \$2,000,000 per occurrence and \$5,00,000 in the aggregate.
29. The Facility Owner shall submit a written report to the Village on a quarterly basis containing sufficient information and data showing the energy output of the facility. The information and data shall be on a weekly basis.

Mayor poll of board members:

Mike - one of my concerns is the agricultural purposes plantings outside of say combine fire, and that goes into a solar section. The concern is one, do you have a training protocol for firefighters and first responders with what they will have to put up with going in there. Is there costs associated with training and equipment. Earthrise- short answer is yes, long version we have established training

programs. We are currently in collaboration with 5-6 fire departments in Will County with our project up there. We are collaborating with fire departments in Cumberland and Coles County. We buy equipment for the fire departments that they deem necessary for response to the projects. Generally the solar panels themselves or the rows of panels will not catch fire, they are not flammable. The only flammable component within the project are the invertors and those are set back 800 or 600 feet or whatever they may be, regardless of what the set back for invertors would be, the project designs automatically place invertors at the very center of the parcels, farthest away from the roads. So that is where a fire could incur and generally they just let it die out. So for the really for the fire departments, the main concern is personnel injuries within the sites, and we have trained staff on the team that will carry that injured personnel to the fence line at which time the fire department or ambulance would pick them up and take them where they need to go.

Mayor-sorry Mike, I have to ask this. You are going to hold the responsibility and liability if you happen to paralyze this person because you moved them? Earthrise - the project themselves, of course, have insurance and all that stuff. I am not sure how that component would work but they would be employees of the project anyways. Mike - so your saying if something catches fire, there is no damage to the solar panels...Earthrise not to the solar panels, there won't be open flames, but because there is electrical equipment, they have fuses that blow out, kind of like that kind of circuitry, so there wouldn't be any chain reaction of fires coming out.

Mike - how many people do you employ at this? Earthrise - it is hard to say, generally for a project size maybe 2-4 full time employees.

Mike as far the glare question, what direction are the panels. Earthrise - we would use a tracking system that would follow the sun from east to west. So at any given point, depending on which direction it faces, that is where the glare would go. But we do conduct glare studies, we are required by the State to mitigate that glare and that glare is further mitigated by opaque fencing and vegetation requirements and so on. We would not design a project that had any glare impacts in any direction whatsoever. The panels themselves are anti glare themselves but of course the power of the sun, etc could still create some glare, which they do, based on our studies and that is how we mitigate them further, through the fencing, vegetation, etc. Mike - so it is safe to say that at point in time, there is going to be some type of glare from the sunlight? Earthrise - if its modeled, potentially, but that is how we mitigate it per the vegetation, through shortening piles, through screening on the fences.

Mike - the question is there is no weed killer, is what I call it, if you can't use that, what is your process to control weeds? Earthrise -I would usually say spot treatment, but that sounds like that is not something afforded here, so if possible I would like to defer to our environmental director and I could get you an answer to that by email.

Mike - the part of disposal on here. Where do you dispose of these? Earthrise - that ties into the recycling clause within the ordinance. We find it very difficult that we would be able to get pricing on recycling panels 35 years from now. However the decommissioning stipulates the recycling down the road. We just don't see how we could even get a contract for something like that for 35 years down the road and get accurate pricing. Mike - what if they are damaged, are you taking it to the local recycling facility, taking it to dispose of it? Earthrise - that would be identified in the operations and maintenance plan. I personally do not know within this area, what would occur. We do have spare modules or panels that we keep, so when there is an issue, we would replace that. What happens to the old ones, I do not know at this time.

Mike - obviously there are several towns that you are doing projects in, what kind of issues do you see that would potentially be seen here. Or for example, your Gibson City, what kind of negative things have you come across with the project? Earthrise- if you could be more specific toward the category, maybe I could think of something. But as far as I know, _____ is very involved in that project and don't know if the community has had any negative feedback from that project. In fact we actually have quite a few from Gibson community come to our hearings last week. Mike - so there is nothing that you can see that could potential... Earthrise - a very simple example would be like damage to the road during construction, which is regulated by the Road Use agreements that we enter into. So that type of scenario we would have pre construction road work, so we get transportation impact analyses done, that would asses the loads and the loads we are going to be transferring on the roads. The road authority would say you would need to repair this culvert, upgrade this culvert, etc. So we would do preconstruction upgrade work. We would video that and then during construction, anything occurs, that would have be fixed immediately. That maybe be one common type of problem does occur. And that is how is mitigated in the Road Use agreement.

Mike - I apologize I don't put in solar farms, I am trying to look at it to you as you are the professional who is going to put this in, I am asking your opinion of being honest with me. Earthrise - I will answer to the best of my ability.

Bob - how far is somebody out that would need to come in if there is a problem? Earthrise - our staff will be housed our Tilton Energy Center Natural Gas Plant. That is where we will be operating out of. There is a system called a SCADA system that gives live time operations data and with the solar farm, they can actually tell when panel and which row is malfunctioning so they will know exactly where to go. This system can be monitored remotely.

Bob - going back to what Mike asked about if there was an accident there, as far as needing EMS. If they are sitting out by the road and waiting for somebody to drag someone out to the road, that could potentially be fatal. Earthrise - those would be trained individuals to carry a person on a gurney. Bob - even with us having someone here more trained. I can't see where someone there would have more training and also if something happened to both them, and they got hurt. It just sounds that you wouldn't want somebody in a situation where they shouldn't be moved to EMS. To them. Earthrise - in our projects in Will County, the fire departments have requested that we implement a little bit wider driveways and access roads, for this reason. So we could do something like that in case a situation that you mentioned occurs. We could provide for greater access roads for an ambulance to access the site. Generally the projects with first responders, what we do is provide a site map, once we have our finalized designs. That site is split into sections. Any type of situation occurs, the site would call the first responders and say section 10, this access point is the closest point to get here.

Bob - How many gates would there be? Earthrise - multiple around the perimeter. Bob - are the gates manually opened? Earthrise - think that depends.

Bob - Is there security or is it just with the 2- 4 people? Earthrise - Visual security systems, camera systems are placed there for the personnel and to satisfy them.

Virgil - I think were Bill read, when they are in vertical position, at 20 feet, how much is the average one when they are vertical? Earthrise - It depends on the pile height and the module type, and the

pile height depends on the soil data. If its alright with you, would like to defer to my engineering and get back to you all on an answer on this one.

Vanessa - going off what Mike was asking about the damage, what do you do with damaged ones? Just March 10th, Wheatfield Indiana had all that damage from a storm. You have plans for the project yet you have no plans on what to do with damaged ones and how you are going to dispose of them. Will you have that before you even start the project? Earthrise - yes, that will be part of the _____ and maintenance plan. I could potentially get that information from our Gibson City plans and share that information.

John - no. Courtney - no.

Mayor - Section E

A. Special Use Permit Requirements and Conditions

1. The Village Board shall have the final approval of all special use permit requests for the siting of solar energy systems.
2. The following information and/or documents shall be submitted as part of the special use permit application for principal use solar energy systems:
 - a. Proof that an Agricultural Impact Mitigation Agreement (AIMA) has been executed with the Illinois Department of Agriculture. Compliance with the AIMA shall be a condition of the special use permit. Pursuant to 70 ILCS 405/22.02a, an appropriate impact study shall be required as set out in the statutory AIMA, which is incorporated herein as part of this Chapter.
 - b. A detailed site plan for both existing and proposed conditions must be submitted, showing location of all solar arrays, other structures, property lines, zoning and uses of adjacent property, rights-of-way, service roads, floodplains, wetlands and other protected natural resources, topography, electric equipment, and all other characteristics requested by the Village. The site plan should also show all zoning districts, and overlay districts.
 - c. Road Use Agreements. The site plan shall identify all routes on either Village, county, or township roads that will be used for the construction and maintenance of the Facility, including all routes for ingress and egress. The routing shall be approved by the Village Engineer, Township Road Commissioner and the County Highway Engineer. The Facility Owner shall complete and provide a pre-construction baseline survey to determine existing road conditions for assessing potential future damage due to development and operation related traffic. The Facility Owner shall provide a Road Repair Plan and any agreements related to such plan which will ameliorate any and all damage. The Facility Owner shall provide a letter of credit or surety bond in an amount and form approved by the highway/road officials when warranted.
 - d. A pollinator-friendly plan for the property inside and outside the fenced area. The Facility Owner shall work with SWCD to determine appropriate vegetation for the existing soils. Compliance with the pollinator-friendly plan shall be a condition of the special use permit.
 - e. A plan which provides measures for restoring or assisting in restoring pheasant and quail populations. The Facility Owner may work with the Illinois Department of Natural Resources in preparing the plan.
 - f. Proof that an Agreement providing for the recycling of any and all solar panels and other recyclable material has been entered for any solar panels or equipment taken out of service for failure or damage. The Agreement shall be in full force and effect for every year or part of a year that any solar panels and equipment are located on the property and during any period of decommissioning. Failure to maintain such an Agreement shall be a violation of the special use permit.

- g. Fire Emergency Response Plan. The Facility Owner shall submit a copy of the project site plan to the local fire department or fire protection district and coordinate developing a fire emergency response plan. If such plan requires additional training for fire personnel, the Facility Owner shall be responsible to pay for such additional training.
- h. The Facility Owner shall provide the results and recommendation from consultation with the Illinois Department of Natural Resources through the Department's online EcoCat program. The cost of the EcoCat consultation shall be borne by the Facility Owner.
- i. The Facility Owner shall demonstrate avoidance of protected lands as identified by the Illinois Department of Natural Resources and the Illinois Nature Preserve Commission or consider the recommendations of the Illinois Department of Natural Resources for setbacks from protected lands, including areas identified by the Illinois Nature Preserve Commission.
- j. The Facility Owner shall provide evidence of consultation with the Illinois State Historic Preservation Office to assess potential impacts on State-registered historic sites under the Illinois State Agency Historic Resources Preservation Act.
- k. Drainage Tile. Notwithstanding any other provision of law, a facility owner with siting approval from the Village to construct a commercial solar energy facility which crosses or impacts a drainage system, including, but not limited to, drainage tiles, open drainage districts, culverts, and water gathering vaults, owned or under the control of the property owner or a drainage district under the Illinois Drainage Code shall obtain prior agreement or approval from the land owner and/or the drainage district prior to installing the system. The Facility Owner shall provide a plan on addressing any impacts to the drainage system from the construction and operation of the Facility. The plan shall include the following:
1. The facility owner shall repair or pay for the repair of any damage to the drainage system, in a manner that assures the tile line's proper operation at the point of repair, caused by the facility owner or their designee due to the construction maintenance and/or deconstruction of the commercial solar energy facility within a reasonable time following completion of such activity.
 2. The Facility Owner or their designee(s) will work with the Landowner to identify the tile lines traversing the property included within the Underlying Agreement which will be crossed or disturbed by the construction of the Facility. All tile lines identified in this manner will be shown on the Construction and Deconstruction Plans and staked or flagged in the locations where expected crossing or disturbance is anticipated prior to construction or deconstruction to alert construction and deconstruction crews to the possible need for tile line repairs.
 3. Tile lines that are damaged, cut, or removed shall be staked or flagged placed in such a manner they will remain visible until the permanent repairs are completed. In addition, the location of damaged drain tile lines will be recorded using Global Positioning Systems (GPS) technology.
 4. Temporary repair shall be made by the Facility Owner, their designee or the property owner until such time any of the aforementioned parties can make permanent repairs. If the tile lines are dry and water is not flowing, temporary repairs are not required if the permanent repairs can be made by any of those parties previously mentioned within 14 days (weather and soil conditions permitting) of the time damage occurred; however, the exposed tile lines will be screened or otherwise protected to prevent the entry of foreign materials or animals into the tile lines.
 5. Where tile lines are severed by an excavation trench, repairs shall be made using the IDOA Drain Tile Repairs or as to agree to with the landowner.
 6. If there is any dispute between the Landowner and the Facility Owner on the method of permanent tile line repair, the appropriate SWCD's opinion shall be considered by the Facility Owner and the Landowner.

7. To the extent practicable, there will be a minimum of one foot of separation between the tile line and the Underground Cable whether the Underground Cable passes over or under the tile line. If the tile line was damaged as part of the excavation for installation of the Underground Cable, the Underground Cable will be installed with a minimum one foot clearance under or over the tile line to be repaired or otherwise to the extent practicable.
8. The original tile line alignment and gradient shall be maintained. A laser transit shall be used to ensure the proper gradient is maintained. A laser operated tiling machine shall be used to install or replace tiling segments of 100 linear feet or more unless otherwise agreed to with the landowner.
9. During Construction stage, all permanent tile line repairs must be made within fourteen (14) days of identification or notification of the damage, weather and soil conditions permitting. At other times, such repairs must be made at a time mutually agreed upon by the Facility Owner and the Landowner.
10. Following Construction Maintenance and/or Decommissioning activities, the Facility Owner will utilize best practices to restore the drainage in the area to the condition it was before the commencement of the Construction/Decommissioning activities or those methods agreed to between the Landowner and the Facility Owner. If the Landowner and the Facility Owner cannot agree upon a reasonable method to complete this restoration, the Facility Owner may – but is not required to – implement the recommendations of the appropriate County SWCD and such implementation would resolve the dispute.
11. Following completion of the work, the Facility Owner will be responsible for correcting or paying for the correction of all tile line repairs that fail due to Construction Maintenance and/or Decommissioning, provided any such failure was identified by the Landowner within twenty four (24) months after Construction or Decommissioning. The Facility Owner will not be responsible for tile line repairs that the Facility Owner pays the Landowner to perform. The Facility Owner will not be responsible for tile line repairs that the Facility Owner pays the Landowner to perform.

Mayor poll of board members:

Courtney - no. John - no. Vanessa - no. Virgil - no. Bob - no.

Mike - For decommissioning, earlier you said it is hard to prepare for something that is 35 years down the road. What is the average cost of decommissioning? Earthrise - its not the decommissioning cost that is hard to estimate, it is the recycling cost. That I do want to clarify. We do provide decommissioning plans that do have _____ in them. That cost estimate request the bond to be posted. Some municipalities and counties differ between net of salvage value or not net of salvage value. We are happy to go either way. Earthrise - the EMA requires the estimate to be refreshed after so many years. With inflation, it has to keep up. Mike - so assuming like if there is \$20,000.00 in there now, it is an additional 5, then you will put 5 in each time, correct? Earthrise-correct, that is what we are required. Again, the Farm Bureau was pretty forward thinking about things like that. Mike- How long you been in business, Earthrise? Earthrise - been about 5-6 years now. Mike - so would you guys have decommissioned anything at this point, I would assume no? Earthrise - no, not many people in the state have decommissioned a solar plant. Another Earthrise - I have been involved in decommissioning a couple wind farms in northern Illinois.

Mike - As far as the drainage tile. My concern would have is if the southeast corner of the Mormon property, there is an applicable amount of water goes through there. Think the state has actually done work. Clearly we are in a drought at the moment. We haven't had enough rain to know if this is going to be problem. So with the facility being put in, what happens if that affects that portion again, have

you gone as far as talking or thinking about it as to now whose problem is it. Because we can't prove anything right now. Earthrise - we are required to maintain the drainage around us, the way we found it. So that is our baseline that we go off of, to not make any change with the water flows within the area. In addition to that, the solar farms also like the drainage system and pools of water on the site actually reduces efficiency. So it is in our best interest to maintain flow as we found them. We are aware of that hydro issue to the east. Mike - so Earthrise wouldn't have a problem helping out if it became a problem? Earthrise -if the water flow volume increases, they would have a legal obligation. I think Doug might have mentioned this, if the native plants and flowers take root properly, they will actually end up absorbing storm water than the conditions that are there now. Doug Kirk - in that area, there is a main drainage tile, subsurface tile, that exists but isn't big enough to handle the change over the last 25 years. It has gotten better with what the state has done. So there is a subsurface main tile, that even without further easements, would give you the right to replace it across the neighboring properties, down into the creek. We could eliminate that problem if we had a bigger tile in place.

Mike - is there any type of battery facility or such that you are planning? Earthrise - no, we are not planning to install any batteries in our project. Mike - with the pecker plant or that take care of it, so no batteries whatsoever? Earthrise - not at this time.

Mayor - Section I

- I. Decommissioning Plans and Financial Assurance. The Decommissioning Plans and Financial Assurance shall include the following:
 1. Decommissioning of a Facility shall include the removal/disposition of all solar related equipment/facilities, including the following utilized for operation of the Facility and located on Landowner property:
 - (i) Solar panels, cells and modules;
 - (ii) Solar panel mounts and racking, including any helical piles, ground screws, ballasts, or other anchoring systems;
 - (iii) Solar panel foundations;
 - (iv) Transformers, inverters, energy storage facilities, or substations, including all components and foundations;
 - (v) Overhead collection system components;
 - (vi) Operations/maintenance buildings, spare parts buildings and substation/switching gear buildings unless otherwise agreed to by the Landowner;
 - (vii) All fencing, and all landscaping and plantings that were installed or placed on the property during the construction and operation of the Facility;
 - (viii) Access Road(s) unless Landowner requests in writing that the access road is to remain;
 - (ix) Operation/maintenance yard/staging area unless otherwise agreed to by the Landowner; and
 - (x) Debris and litter generated by Deconstruction and Deconstruction crews.
 2. The decommissioning plan shall include decompaction and restoration of the soil and return of the property to the condition it was in prior to construction and installation of the Facility. The land shall be reclaimed to a suitable condition for crop planting and growth. The land shall be graded to prevent ponding or standing water within the property and to avoid any runoff to neighboring properties.
 3. The decommissioning plan shall include that the terms of the plan shall be binding on the Facility Owner, operator and any of their successors, assigns or heirs.

4. The Facility Owner shall, at its expense, completely Decommission a Facility upon the expiration of the special use permit or in the event they are abandoned, which shall mean not in use for twelve consecutive months for reasons other than repair or replacement, or otherwise at the end of the useful life of the Facility. Decommissioning and removal of the Facility must be complete within one hundred eighty (180) days after they are abandoned, has reached the end of its useful life or the date the Facility Owner delivers a notice of cessation of use to the Village.

5. Prior to issuance of the permit, the facility owner shall have the approval of the Decommissioning Plan to include the end of life cost estimate of decommissioning. Financial Assurance to cover the estimated costs of end of life of decommissioning of the Facility shall be at one hundred percent (100%) of the cost estimate submitted and approved by the Village. Financial assurance shall be made in the form of a surety or like bond with the Village named as the Beneficiary of such bond. Every five years thereafter, the Village may re-evaluate the Plan and associated cost estimate. The Financial Assurance shall be increased to one hundred percent (100%) of the end of life decommissioning cost, based upon the most recently re-evaluated version of the Plan. All bond issuers must maintain an A+ rating by AM Best for viability and consideration of the Village Board. Said revaluation must be performed by a certified third party Professional Engineer licensed in the State of Illinois and provided for review by the Village. Should the Village find reason to disagree with the revaluation, the Village shall retain the services of an additional State of Illinois Licensed Professional Engineer, at the cost of the Facility Owner. After all available decommissioning funds have been utilized the property owner of record is responsible for any remaining cost to complete the decommissioning plan. Ten percent (10%) of the Financial Assurance shall remain in place for a period of five (5) years after the decommissioning of the Facility as a contingency should any issues related to full compliance of decommissioning should occur within that period. If any issues should arise within that time period, the ten percent (10%) contingency shall be used to resolve the issues. If the amount of funds necessary to resolve the issues exceeds ten percent (10%) of the Financial Assurance, the Facility Owner shall be liable for the remaining amount.

6. Any areas of decommissioning not specifically addressed herein or conflicting with the Department of Agriculture's Agricultural Impact Mitigation Agreement shall adhere to the "Agreement" filed with the State of Illinois.

7. The bond, letter of credit or escrow account shall be established and maintained from the date a special use permit is granted until the completion of the decommissioning.

b. Any special use permit issued for a USSES shall be valid for a period of 25 years from the date of issuance or upon completion of decommissioning, whichever is later.

Mayor - and for the audience, that means at the end of 25 years, the special use permit expires and so does the solar field. They would have come back to the board to get a new permit.

Mayor poll of board members:

Courtney - no. John - no.

Vanessa - I have a question to one your earlier responses was, what do you mean by, on the batteries, not now? At this time? Is there a possible chance? Earthrise - no, none of our executives, none of us, nobody is discussing batteries for this project and don't have that intention. There is, I am not too familiar with it, but there is, maybe Kyle can speak towards it, there is some kind of regulation now that allows batteries in Illinois, but this does not apply to our business model. We are a little bit different than other project developers. We are tied to our projects through our gas plants, just simply

the dynamic between the gas and the solar, battery don't make sense to us, regardless of not wanting them.

Virgil - no.

Bob - When you are putting everything in, they talk about giving the land back to current as possible. How much topsoil and stuff do you remove to get your panels put in? I know that is a big part around here, the top soil is. Earthrise - yes, our agreements our standard agreements stipulate that topsoil will remain on the land owners parcel and wont be taken out to anywhere else. So even if it is moved, it is brought back. EMA requires them to protect the topsoil as a set aside on the same property. In addition to that, our engineering studies also determine top soil data and we also get feed back.

Bob - I know you have your landowners that you will using. What is your feedback with people across the road from your projects. Like the neighbors. What effect to them. I know there is no regulations in here, how is it going to effect them. Earthrise - in terms of? Bob - daily life. Like where you live, nice neighborhood and now your going to get this, you are there for a reason. I know that there are people in the areas, are there for a reason. And now it is going to be completely different. So is it just tough luck to them? Earthrise - generally with other projects, as with this one, you like to approach those adjacent homeowners, like to speak to them. Usually what we do, as budget, we speak to them, offer some types of screening to provide on their property, vegetation, offer extensive setbacks. If they have other concerns, there is also financial components in that as well. We do want to have those dialogues. We don't just say tough luck.

Earthrise - not sure if this is a response to your question, but if the standards governing special use permits under the state law under your ordinance, require them to design a facility that doesn't substantially impede any uses on the neighboring properties. So this known facility should be designed in such a way that it doesn't materially effect the uses on the neighboring properties. Bob - yes, I understand that they will still have the property, they have their drive and all. It's the esthetics of having their view. Mike - what was the _____ ideas. Has it effected them that you know of?

Earthrise - I don't know but that is probably a longer discussion, but I will tell you that I regularly work with projects that use consultants that evaluate all kinds of projects for potential property value impacts and we can probably get you a study that they have a number of examples of sales around existing solar projects, that demonstrates that there is just no negative effect on neighboring property values. They effect the sales of those. Part of the study references nationwide studies that are done by academics. Part of the study specifically references phone calls they have made to property assessors around the state. And those assessors that have projects in their counties, they don't find any impact. And you would expect that, right? If your neighbor did something to their property that you thought was affecting your property values, you would go appeal your property tax assessment. They don't see any appeals from people who live near or next solar projects. Again, a lot of times people are skeptical about that because you assume there is an impact, but these folks evaluate lots of different types of facilities, not just solar.

Mike - I don't assume there is an impact, positive or negative, I am just looking at it from your standpoint of the professionals whether or not there is.

Bob - As far as the village, what benefits does the solar farm for our residents? We don't have a property tax, so there is no benefit to Tilton from the whole thing. Other than property tax, that is

about it. Earthrise - even if you did have a property tax, this facility wouldn't property tax on because it's outside your corporate boundaries. So I don't want to say that is not part of the discussion, because it's not really relevant. Bob - so like your talking about Catlin school district. As far as Tilton goes, there is nothing benefitting our town. That is what I am going to answer to with our residents.

Earthrise - again that is part of the strange nature of this extra-territorial jurisdiction, zoning jurisdiction extends a mile and half outside your boundaries because you get to make decisions for these land owners who don't get to vote for you. That is really the starting point of the discussion. I totally understand where you are coming from, but that is sort of the weird dynamic with the extra-territorial zoning.

Vanessa - Bob what your getting is no benefits basically for Tilton, financially. It's Catlin, Vermilion County, Salt Fork, there is nothing for Tilton.

Mike - into another section, taking the fire department. As far as specialized fire equipment related to a facility like this, is there any? Earthrise - yes, what we have been asked for mostly is those polaris vehicles that are retrofitted for medical evacuation type work. It's not really the fire. It's the medical side and that's the type we supply. Vanessa - is that for the purpose of getting into the fields? Earthrise - correct.

Unknown - isn't that Catlin's fire district because there is no rural fire department. Mayor - we are mutual aid. And depending on where they set their equipment, it very well could be in Tilton, there behind the school.

Earthrise - we have had preliminary conversations with the local fire districts of Catlin, Tilton and Westville, when we were initially showing where our project would be located. We had an initial meeting with them and they determined those would be the three fire districts likely to respond to an incident. Gave a preview of what they could expect, we walked them through it. We are willing to work with them on designing a response manual so they can respond to any type of incident that might incur.

Mayor - I want everyone at Earthrise to understand, there is no obligation to give Tilton anything. We came into this knowing that we wasn't getting anything out of it. Even though it has our name stamped all over it. I think you donated \$5,000.00, before the 1400 acre project came up. And I will tell everyone, I did tell them do not donate to the village. Not at this point in time, because the perception does not look good. If everything passes and you guys build, from that point forward, you can do what you want. But you are not obligated. I just want to make it clear as your attorney is sitting there and I do not want this to sound like we are prodding you for something.

Mike - another question with the a-plus to going to a a-minus, what would be the idea behind that?

Earthrise - that is something I asked our finance and it is difficult to find institutions, so a-minus where

Mike - then the special use permit, since we have 25 years and your asking for 35? Earthrise - the cash flow and the financial models with the lenders, everything is based off a 35 year project because a lot of the equipment is guaranteed to operate for 35 years. Solar panels, after 35 years, they are still at 82-85.5% efficient. So they still have a lot of life in them, even past the 35 years. But the industry is basically has set a standard of 35. The whole process of design, equipment and to financing is all

linked to the 35 as a base. Mike - was clarifying because when I was out in Catlin it was being said 25 years.

9. AUDIENCE

This section is now for the audience. Please note the clock that each public comment receives 3 minutes. We do have non elected staff up here and want to do a roll call of staff to see if they would like any comment before moving to general audience. Lori - not prepared. Tiffany - have nothing. Cassidy - have nothing.

Michael Muzynski - I am life long resident of Vermilion County. My mother was born in Vermilion County in 1916 on Adams Street in Tilton. I have listened tonight and felt there is some issues brought up and for only 3 minutes, I probably don't alot more to say other than the EMF consideration. My understanding is that only part of this operation that even generate EMF would be from it being heard correct? The other issue that concerned me is the 1800 set back being more than what other areas are doing and not considered normal. I have not heard any justification for that tonight. Thank you for the consideration.

Becky Miller - Indianola. I like to offer my services and I know I might have ruffled a few feathers. I was with 1400 (?) counties in 2023 when the state held to the counties to come up with their ordinances. From listening, which I am a visual person, I would love to see what you all are talking about instead of just hearing it. I see some things that have come up at hearings because I have attended so many hearings and I go to county board meetings and Jerry Hawker would like to speak too but forgot to put his name on the list. The same things come up and come up and one thing time constraints. The vegetation. I challenge you or ask you to drive past the different solar projects that are around here. Ridgefarm is put _____ wire fence, which looks great right now, but in 5 years from now it is not going to look very good. You see the little tiny evergreen trees that is going to take forever and half of them die before they ever get any height to them. Time constraints, you can't say in my opinion, unless the county board has found out they have do this in a reasonable amount of time. There needs to be specific time and then here is the penalty if you don't have it done in certain amount of time. There has to penalties on all these companies to be accountable. They are real good at spinning circles and giving you what you want to hear and answers. The glare study, the mural project. Sure they did glare study and they programmed it into a computer program, but they only checked at certain heights. They didn't take into account that you have tractors, big trucks and semis, they based it on one level of vehicles. And we know during the summer time, got different angles than we do in the winter time. You can put those panels straight up and down and now you have a wind tunnel and getting hit with a hail storm like we do every 2-3 years. Danville got hit today with big hail. Also when it comes to experts, I would beg you all to put it in there that you all choose the experts and they pay for experts. Don't use their experts. You all chose. Firefighters, we have volunteers in our area, and you have volunteers here. You can't even get a firefighter in Indianola, we had one. Had to wait for one to come from Georgetown. Thank you.

Jerry Hawker - I am speaking tonight as a private citizen who happens to be a county board member. One of the biggest things that I caution you on is your decommissioning. I take it that you are requiring a bond but the county has required them to post 100% of the decommissioning with a letter of credit or the money on deposit. I think that is better than with the increase as it goes on and rather than just bond. I think it is better. Another I caution you on, I love these companies that tell you all

these guarantees, we guarantee, we guarantee. But we incorporate each of these solar fields for a reason. So if something bad goes on, that corporation is gone. Your guarantee is no better than the corporations you all know. If they were really concerned, they would leave them all in their corporations as assets. I am saying this not because of the size. _____ for and against it on the county board. The project of this size, I voted against it, the board denied it. I am telling you, the decommissioning, you really need to look at that and I think you would want a deposit up front, not just a bond, to make it safer. So another question, you have a solar situation going on on Ross Lane right now. How did that happen without your ordinance? Mayor - it came under our original ordinance and rezoned. Part of that is a reason for this. We found loopholes. Jerry - I understand and I know this is the toughest thing that your going to have, maybe not the top, but one of the them to deal with. It is not a fun process. Thank you.

Mayor - to answer your question, correct me if I am wrong Dave, now that this has been in a public meeting, this ordinance can go to the public so if anyone would like to have a copy of the draft, just speak to Tiffany or Lori.

Belinda Dunivan - my comment is on the demolition, talking about 10 % back. If the 10% doesn't cover it, the facility owner is responsible. But if they are gone, how are you going to hold them responsible. So my comment being, if the land owners are so sure about the company, make them responsible after the company is gone. That is just my comment.

Mayor - if they leave prior for whatever reason, then it goes out of service, then we take it out. I don't believe they would fold more than they would sell. And we have it covered if they were to sell to someone else.

Belinda - ok, you was reading at the end, you said and if the 10% doesn't cover it, then the facility is responsible. If the facility is not there. Mayor- actually the 10% held back is for the land owner, in case they come across something that they didn't do so they don't have to take care of it themself, that we could take their money and repair whatever they find. Belinda - but if they are gone, and the landowners are so confident in them, then make sure the land owners clean it up. Mayor - they would be because we used all their money in the bond issue. Belinda - I am talking about getting it cleaned up. Mayor - they own the property, they would have to clean it up if they have problem with it.

Earthrise - sorry to interrupt, the EMA is designed to protect the landowner and to make sure that sure the equipment is removed, on behalf of the land owner, otherwise they are stuck with it.

Belinda - and my other question is in regards to property values and you said that there was no _____ typically, is that property values per the assessor or property values in real estate resale market? Earthrise - again for one of their other projects, they submitted a property value impact study that was prepared by experts. And that study examined national studies that were done all around the country and they examined, made phone calls to assessors and real estate agents. But they also looked at actual sales data and those sales was from retail market, again, if you look at the study it shows examples. They call it Mash(?)fair analysis. This household wasn't near a project, these houses sold that was near a solar project. They don't entertain that there is going to be an impact. Belinda - thats why I am asking to clarify if you saying assessor property values or real estate.

Mike Sacre - I live in Catlin. We used to farm land, but I read where the University of Virginia or Virginia Tech did a massive study on solar systems. It is like 8000 solar fields, real estate transactions

and they concluded that they found that property values dropped on average, just under 5 %, within a three mile radius. So property closer obviously dropped more, property farther away dropped less.

Mayor - was that study on the assessed value or the market value. Mike Sacre - it was on actual real estate transactions.

Unknown---but what's found out about it is, on homes within, like they are islands. There is the home and there is solar all around it. It does have a full bearing on the value of the house. The homes that were built adjacent to homes that were existed that was adjacent to this little hill, that had no solar around it, just happened to be next to them, it was minimal impact to value. And after longer period of time the solar project existed, the impact of property values go away. In other words, you get used to it. And if something is freshly constructed, has pollinators doesn't look as good on year 1 as year 5, once they have grown.

Mike Sacre - property values within a three mile radius, maybe 5 miles of the solar fields, which would be all of Catlin, so all of our property values would essentially drop and average of almost 5%.

Unknown - I want to point out that is not my opinion, that is an opinion of a AMIA designated real estate appraiser who has prepared reports for solar projects, for land builds, etc. I believe they addressed that Virginia Tech study as well. And there are other national university studies that don't show an impact.

Mayor - one more round of the board members.

Courtney - no. John - no. Vanessa -no. Virgil - no. Bob - no.

Mike - I want to thank everyone for their time and coming out. You learn a lot on both sides of the forum here. I know from a land owner standpoint and the Earthrise standpoint, you gave us an unlimited amount of time to talk and limit the public to 3 minutes. So at any point in time, we mainly do that so we are not here all night. But that is in joke, I want to make sure you all know that at any point in time, feel free to reach out to me. I would be more than happy, and assure anybody else here would too, but I am not going to speak on the others half, but if you want to talk about something you didn't get to talk about tonight, feel free to reach out, I am all ears.

Mayor - only want to add to all this, the board is going to take all this information, take the notes. Will start weighing it and probably have another meeting here before too long to actually try to widdle this down to a votable ordinance.

Bob - where does the power that is generated from the solar farm go? Earthrise - generally most projects, before they even start construction, they will have a power purchase agreement in place with some entities. It can vary, it can be the Ameren's, can be the Illinois Power Agency, it can be an Amazon Facebook. But those transactions are on paper. So like Amazon, they have many facilities across the state. So they are really just virtual balancing. The physical power is one of those things where it follows the path of least resistance. So if you were to go look at our sub station next to the Tilton Gas Plant, you will see a series of transmission lines come out of it and distribution lines come out of it. So the power generated from here, some of it will hit the transmission grid and some will hit the distribution grid and it will be distributed around this area, physically and some it will go across the transmission system. All that being said, the system operator it costs them more money to send power over greater distances because there is losses. So the preference is to always have it consumed where it is generated. That would be the most option for them and for everybody else.

10. ADJOURN

Motion:

MOTION TO ADJOURN AT 824 pm

Motion moved by Virgil Sheets and motion seconded by John Barnes. 6 AYES, 0 NAYES, MOTION PASSED

LORI FIELDS – CLERK

