

LAND USE COMMITTEE MINUTES

DATE OF MEETING: July 10, 2023 at 5:00 p.m. County Building

MEMBERS PRESENT: Claro Carter – chair, Joe Witte, Pat Ryan and Melonie Tilley. Also present, Dee Rentmeister – County Administrator/Interim Zoning Administrator. Megan Myers arrived at 5:14 p.m.

MEMBERS ABSENT: None

SUMMARY OF DISCUSSION:

- Betsy Shifflet spoke to the committee about a weather event on June 29, 2023 which resulted in the county being under a tornado warning and the wind turbines did not curtail. Stated that the curtailment agreement states that Alta Farms shall curtail in the event of a warning being issued for DeWitt County. She asked that the Land Use Committee recommend to the full board that Alta Farms be fined the \$5000 for not curtailing.
- Terry Husted spoke to the committee and indicated that one of his concerns related to the same thing that Mrs. Shifflet spoke on and that there was one other weather warning issued but that may have been before the wind farm was fully operational. The other concern he has is regarding the red lights on the towers and in violation of the FAA guidelines. (See attached document) Will check with Enel on the lights.
- Motion by Ryan, 2nd by Tilley to approve last month's minutes. Voice vote, motion carried.
- Motion by Witte, 2nd by Tilley to approve the claims. Voice vote, motion carried.
- Committee discussed the curtailment agreement with Alta Farms. Carter stated that about 3 months ago this committee tried to put together a policy on how to enforce the agreement. It is Carter's opinion that the curtailment condition was violated, and the county should pursue the fine. Dee informed the committee that she contacted Enel the day after the event, and they checked into the situation and returned the call indicating that they had not curtailed, and they did not receive notification from the NWS. Once back to work on Monday, Dee stated that she reached out the NWS and they indicated that they did not notify Enel. Since the incident Dee met with Micah Gallardo, EMA Coordinator and had contact with Enel and two Enel employees have been included in the weather notices that EMA sends out and these employees have been included on notification from NWS via phone alerts in the area. Dee stated that she didn't believe that a fine should be issued because Enel did not receive notification from NWS as per the agreement. Committee felt that the fine should be issued. Will put on the full board agenda under new business to issue a fine to Enel/Alta Farms for violation of curtailment agreement/condition on June 29, 2023.
- Committee continued review of the solar ordinance for text amendments. Reviewed Livingston County's ordinance. See attached draft. Motion by Carter, 2nd by Ryan to forward the suggested changes to the RPC to begin a text amendment. Voice vote, motion carried.
- Motion by Carter, 2nd by Witte to adjourn at 6:37 p.m. Voice vote, motion carried.

COMMITTEE ACTION:

- Approve last month's minutes.
- Approve the claims.

RECOMMENDATIONS TO THE FULL BOARD:

None

DATE OF NEXT MEETING: August 14, 2023 at 5:00 p.m.

**AGENDA FOR THE
LAND USE COMMITTEE
REVISED**

Date and Time of Meeting: July 10, 2023 at 5:00 p.m. County Building

1. Call Meeting to Order
2. Roll Call
3. Persons Wishing to Address the Committee/ Public Comment (If requesting action, also list below in section 4)
 - A.
 - B.
4. Items for Discussion and Possible Action
 - A. Approve last month's minutes
 - B. Approve claims
 - C. Review solar ordinance for text updates
 - D. Review wind ordinance for text updates
 - E.
5. Items for Discussion Only (No Action Requested)
 - A. Update on zoning items
 - B. Discussion on curtailment agreement
 - C.
6. Executive Session:
 - A.

Posted: July 5, 2023 at 1:15 p.m.
By: Dee Dee Rentmeister
Posted July 5, 2023 at 2:20 p.m.
Dee Dee Rentmeister

Land Use Committee – Alta Farms II Violations 071023

Thanks for listening to my public comment. I am Terry Husted, resident of DeWitt County. I have 2 comments.

Recently, we have had a couple Severe Weather conditions that resulted in issuance of severe weather warnings for DeWitt Co. In neither case did Alta Farms II shutdown their wind turbines as per their permit's special conditions. In both cases, the National Weather Service formally issued these warnings. In both cases, residents have documented the warnings and continued operation of the wind turbines in direct violation of these special conditions.

It should also be noted that Alta Farms II has been operating the wind turbines in direct violation of the Federal Aviation Administrations guidelines for these wind turbines. The requirements are: IAW U.S. Department of Transportation Federal Aviation Administration ADVISORY CIRCULAR AC 70/7460-1M page 53 Paragraph 13.6 for "Wind Turbines Above 499 Feet" para 13.6.1 "For wind turbines with a rotor tip height, while at top dead center, greater than 499 feet (152.10m) AGL...the top of the turbine's nacelle should be equipped with a second L-864 flashing red light." 13.6.4 and "...should be configured to flash simultaneously with the other turbines in the same farm..." (ref 13.5.1 "(within $\pm 1/20$ second (0.05 second) of each other)"...) "Should any lighting fixture or the lighting system synchronization fail, a lighting outage report should be prepared in accordance with Chapter 2, paragraph 2.4.")

Contrary to this, red beacons on Alta Farms II wind turbines flash randomly, definitely not simultaneously.

https://www.faa.gov/documentLibrary/media/Advisory_Circular/Advisory_Circular_70_7460_1M.pdf



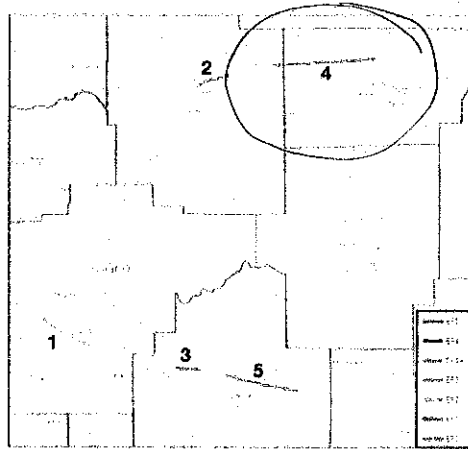
June 29 Tornado Information

June 30, 2023
9:39 PM

Data as of June 30th

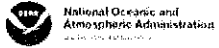
Location and Intensity:

- 1 - Curran/Chatham (EF2, path 9.1 miles)
- 2 - Lincoln (EF1, path 4.4 miles)
- 3 - Sharpsburg (EF1, path 3.5 miles)
- 4 - Waynesville/Wapello (EF1, path 14.2 miles)
- 5 - Taylorville (EF1, path 10.4 miles)



For more information:

https://www.weather.gov/ilw/June29_detecto



National Weather Service
Lincoln, IL

Permit number	Legal address	Property ID	Category	Work target	Issued date	Permit fees total	Cost of construction
2023-033	Santa Anna Twp - Farmer CityE 1/2	05-28-314-005	Accessory structures	Gazbo	23-06-02	40.00 USD	\$ 1,800.00
2023-035	Santa AnnaSec 17 T21 R5	05-17-300-008	Agricultural	Grain storage	23-06-08	0.00 USD	\$ 75,000.00
2023-036	Tunbridge Twp - KenneyLot 4 Blk 17	11-16-429-008	Other	Fence	23-06-14	25.00 USD	\$ 750.00
2023-037	Nixon Twp - WeldonPt reserve blk 7	14-09-403-004	Accessory structures	Shed	23-06-27	40.00 USD	\$ 4,395.00
2023-038	Barnett Township	06-32-300-007	Accessory structures	Cover Patio	23-06-27	40.00 USD	\$ 2,000.00