

LIVINGSTON COUNTY BOARD
AGRICULTURE AND ZONING COMMITTEE
MINUTES OF THE SEPTEMBER 6, 2011 MEETING

The committee chair called the meeting to order at 6:30 p.m., in the Livingston County Courthouse., Pontiac, Illinois and roll call was taken.

Present: Eldon Ruff, Dee Woodburn, Bill Flott, Jon Goembel, Bruce Koerner and Bob Young

Absent: Tim Shafer

The committee chair noted the agenda for this meeting, then Bob Young moved, seconded by Dee Woodburn, that the agenda for this meeting be approved as it is being presented. This motion was approved by a voice vote of all ayes.

Minutes of the August 2, 2011 and of the continuation of this meeting on August 11, 2011 were referred to the committee. Dee Woodburn moved, seconded by Bill Flott, that these meeting minutes be approved as presented. This motion was approved by a voice vote of all ayes.

Harms Livestock Facilities Recommendation:

The committee members remarked about the proposed Harms Livestock Facilities. Committee member Daryl Holt commented about his visits to existing Harms Livestock Facilities and to the proposed sites. Mr. Holt related that he believes that the existing Harms sites appear to be well maintained. Mr. Holt then commented about the public input on these projects and the concerns that have been expressed about water and the neighbors. Mr. Holt indicated that he had suggested to Patrick Harms that he have a well test conducted to make sure that the neighbor's wells are not adversely affected, by the proposed livestock facilities developments. Mr. Holt then commented about the protection of the wells located near the proposed building sites. Committee member Bob Young commented about he knows the Harm's to be hard working, but he questions how some of the neighboring properties legacies will be affected by the proposed livestock facilities. Mr. Young mentioned the concerns raised in a letter to zoning administrator by Donnie Simmons, the Director of Environmental Health for the Livingston County Public Health Department. Copies of this letter had previously been provided to the committee members. Mr. Young agreed with the recommendation in the letter that a water survey be undertaken to protect the water resources in the area. Mr. Young related that he has driven past the proposed livestock facility sites several time, pondering stewardship issues and the quality of life vs. the proposed new livestock facilities development. Mr. Young remarked that he had discussed this issue with State Senator Cultra, in relation to the Illinois Department of Agriculture's approval process for livestock facilities.

Committee member Dee Woodburn mentioned USGS groundwater and the rural homeowner's document. Mrs. Woodburn then commented about an area aquifer map, noting that water does move under ground, in reference to comments at previous meetings about groundwater contamination. Committee member Daryl Holt commented further about water testing. Committee Chair Eldon Ruff referenced the previously mentioned letter from Donnie Simmons. Mr. Ruff then read the last paragraph from this letter which states; "There have been no hydrology studies done to assess the quantity, quality, and distribution of groundwater in this area. It is unknown what the impact of groundwater withdrawals by these two sites will have on the water wells serving the residences of this area. It is the recommendation of the Livingston County Health Department that hydrology studies be undertaken to identify and protect the water resources in this area. It is important this viable resource remain available for those in the area if these two sites area constructed." Mr. Ruff then mentioned the potential of some testing being done on area wells. Mr. Ruff noted that tests should be taken especially on the east side where there are more water concerns.

A discussion on a recommendation began, with a question directed to the Mayor of Saunemin as to his concerns, expressed in a letter and petition of which copies had previously been provided to the committee members. Specifically if testing on the water in the area can be completed with results that assure that his community will not be adversely affected by the proposed livestock facilities developments, would the Mayor be approving of the proposed development. The Mayor of Saunemin, Bob Bradford, was present at this meeting and he responded that if such water testing was done by independent experts with positive results would make him feel more comfortable with these projects, but he still has concerns about potential odors and the property values in Saunemin. The cost effectiveness of odor control filters on the fans for the proposed livestock facilities were then mentioned.

The committee chair then allowed for public comments on this matter. Nick Anderson questioned the committee members on how stewardship affects neighbors and if they think that pork producers were good stewards of the land. Showing good stewardship to neighbors was discussed, in particular to in reference to hog odors in relation to hog facilities two miles away having occasional odors, which increase the closer a hog farm is to a residence. It was noted that the Harms are good people. A resident in the area of the proposed livestock facilities, Julie Fox, mentioned the potential use of bio filters to reduce odors, in that she does not think that the planting of trees will be enough to reduce odors on her family's property from the proposed Harms – Kevin's House livestock facility. Jim Kaitschuk commented on research done on bio filters, which may not be as effective as described, with research continuing on new odor control methods. Sharie Hahn Metcalf commented about shallow wells being close to the eastern proposed livestock facility. It was mentioned that area residences would have greatly reduced value and usefulness if their wells went dry. The Village of Dwight water well testing program was discussed; along with as to if a survey was to be done in the subject area(s) as to how far the water testing would go out. Water testing was discussed with the committee members. Bruce Koerner emphasized that the main concern on these proposed projects are water issues.

Carey Horrie and RN, who grew up in a house where her parents still live close to the east proposed livestock facility site, commented about health issues, in part by flies that may result from the proposed hog facilities. She expressed her concerns about her parents being able to enjoy their property since they spend a considerable amount of time outside. She questioned on how land values may be affected, and about how they had to ration water while she was growing up in the family house close the proposed east hog facility. Fly issues were further discussed. Patrick Harms commented about one of existing operations. Mr. Harms then related that he is controlling his reactions to some of the criticism, of which he feels some is unjustified, in regards to his proposed livestock facilities. Chris West the engineer for this project commented about comments made on the potential contamination of water. Mr. West referred to the construction requirements work to prevent leakage, and he commented about the placement of a perimeter tile that can be used to monitor water quality. He also mentioned the use of berms that can be built around wells. Area resident Rick Campbell commented about this proposal. Area resident Kay Horrie related that her family are outdoor people, questioning how they may not be able to enjoy the outside of their property if the livestock facility(s) are built. Julie Fox further commented on this proposal. Brenda Reynolds a resident of Saunemin commented about moving to a small place to enjoy a small town atmosphere, questioning how her small town living desires may be effected by the development of the proposed big business livestock facilities. Rick Campbell commented about potential water testing parameters. Sharie Hahn Metcalf mentioned her concerns about potential odors. State and IEPA regulations of livestock facilities were mentioned. Jim Hycheck explained that status of NPDES permits for livestock facilities and the current state compliance with federal regulations. Area resident Rich Fox commented about his concerns on water, odors, and flies, questioning who would want to live next to such a facility. Joel Brown and Nick Anderson clarified some water issues previously mentioned.

The committee then commented about setback issues and water supply concerns. Eldon Ruff explained that his only concern about the proposal pertains as to how the area water supply may be affected. Mr. Flott expressed that he wished that the county would be able to decide on that matter, and not the Illinois Department of Agriculture. The committee then discussed a recommendation to the full board that this project not be allowed with concerns about the area water supply.

Dee Woodburn then moved, seconded by Bruce Koerner, that this AG & Zoning Committee recommend to the Livingston County Board to recommend to the Illinois Department of Agriculture that permits for the proposed Harms – Kevin’s House and Harms – Stoller livestock facility’s be denied because of concerns of water quality and supply.

The committee then discussed how they believe that evidence and testimony pertaining the Illinois Department of Agriculture’s siting criteria 2 & 8 have not been met.

In that regard to criteria #2 asks whether the design, location, or proposed operation will protect the environment by being consistent with the Livestock Management Facilities

Act. And siting criteria 8 asks whether construction or modification of a new facility is consistent with existing community growth, tourism, recreation, or economic development or with specific projects involving community growth, tourism, recreation, or economic development that have been identified by government action for development or operation within one year through compliance with applicable zoning and setback requirements for populated areas as established by the Livestock Management Facilities Act.

Solid Waste Issues:

A landfill correspondence synopsis document was presented to the committee members. This synopsis included information in regard to the Livingston Landfill gas system, ground water monitoring. Parcel C side slope final cover projects were noted. In a note from the web site for the Circuit Court for Cook County it appears that an agreement has been made pertaining to the RTC legal matter. We are awaiting to find out specifics about this agreement.

In regard to the Streator Area Landfill, gas monitoring, leachate tank reports and final cover plans were discussed. Seeding on the final cover should take place this fall.

Host fee reports for the past month were noted to the committee.

Wind Energy Conversion Systems Update:

The committee was informed that the Minonk Wind project may be constructed beginning in the Spring of 2012. Other wind energy projects continue to evaluate the current economics of developing their wind energy projects.

Recycling Projects:

The committee was informed that an electronic recycling project was scheduled to take place in the Wal-Mart parking lot in Pontiac from 9 a.m. to 1 p.m. Discussions on additional electronic and battery recycling projects continue.

Solar Energy Regulations:

Further investigation is going to take place to review zoning regulations that may exist for large solar projects.

Livingston County Hazard Mitigation Plan:

The committee was provided with draft resolution documents. Because of the detail in this draft document the committee decided by consensus to complete their review of this mitigation plan at their October meeting.

Other Issues to come before the Committee: None

Public Comment:

Glen Ludwig commented about wind energy development in Illinois, Indiana and Iowa in comparison to wind development in Livingston County. The lag time in developing wind energy projects in relation to the current national economic situation was mentioned along with marketing wind energy. Livingston County economics of wind development was also remarked about. Mr. Ludwig asked that the board be more transparent pertaining to wind energy development in the County.

Then Bob Young moved, seconded by Bill Flott, that the meeting be adjourned. This motion was approved unanimously.

This meeting was adjourned at 8:00 p.m.

Charles T. Schopp, Administrator
Livingston County Regional
Planning Commission