

The County Board of Whiteside County, Illinois, convened in the County Board room at the Law Enforcement Center in Morrison on Tuesday, October 16, 2018 at 6:30 p.m. Notice of the meeting was given to all Board Members and was posted in the County Clerk's office.

Mr. Duffy, Chairman, called the board meeting to order and directed the Clerk to call the roll. On roll call members: James Arduini, Thomas Ausman, Daniel Bitler, Sue Britt, Shane Celestino, Doug Crandall, Paul Cunniff, James Duffy, Glenn Frank, Kurt Glazier, Mark Hamilton, Eugene Jacoby, Martin Koster, William McGinn, Cynthia Mead, William Milby, Karen Nelson, Katherine Nelson, Linda Pennell, Larry Russell, Ruth Stanley, Howard Bud Thompson, Glenn Truesdell, Robert VanDeVelde and Doug Wetzell (25) were present; members: John Espinoza and Fidencio Hooper-Campos (2) were absent.

Mr. Duffy led the Board in the Pledge of Allegiance to the Flag.

Motion by Mrs. Britt that the County Clerk dispense with the reading of the minutes of the meeting of September 18, 2018, and that these minutes, as sent to the members, be approved. Seconded by Mr. Ausman. Motion carried.

Mr. Truesdell presented the following Resolution:

RESOLUTION NO. 1

WHEREAS, since our last Whiteside County Board meeting, family and friends of Harry Kirchner, former Whiteside County Board Member have been saddened by his passing on September 15, 2018 and

WHEREAS, Mr. Kirchner served as a County Board member from November 2, 1982 thru November 30, 1992; and

WHEREAS, we, the members of the Whiteside County Board, with sincerity and respect, wish to condole the Kirchner family in their hour of bereavement;

NOW, THEREFORE BE IT RESOLVED, that the Board's deepest sympathies, memorialized by this Resolution, be conveyed to the Kirchner family.

Motion by Mr. Truesdell to adopt the foregoing Resolution of Condolence in memory of former Board member Harry Kirchner. Motion carried. Deb Kirchner Stern was present to accept the Resolution.

Mr. McGinn presented the following Resolution:

RESOLUTION NO. 2

WHEREAS: Case # 709, James and Cheryl Sharp, 30075 Plautz Road, Rock Falls, IL 61071 owners of the within described real estate duly filed with the Building and Zoning Administrator, their petition praying that the premises described as follows to wit:

A part of the Southwest Quarter of Section 23, all in Township 20 North, Range 7 East of the 4th P.M., in Whiteside County, Illinois, more particularly described as follows: Beginning at the Southwest corner of said Section 23; thence North 89°11'00" East (assumed bearings) along the South line of said Section 23, 1309.67 feet to the Southeast corner of the Southwest Quarter of the Southwest Quarter of said Section 23; thence North 00°08'40" West along the East line of said Southwest Quarter of the Southwest Quarter 180.86 feet; thence South 89°51'20" West 360.00 feet; thence North 00°08'40" West 785.39 feet to a point on the centerline of Plautz Road; thence Northwesterly along the said centerline as it meanders a straight line distance of 951.93 feet and a bearing of North 62°29'09" West of the Northeast corner of the property described in M.F. No. 2645-79 in the Whiteside County Recorder's office; thence South 00°39'47" West 133.05 feet; thence Westerly along the south line of said property described in M.F. No. 2645-79 to the West line of Section 23, Township 20 North Range 7 East of the 4th P.M.; thence South along the West line of said Section 23 to the Southwest corner of said Section 23, also known as the point of beginning; excepting the South 600 feet and the West 165 feet therefrom; also excepting the East 400 feet of the North 90 feet of the South 690 feet of the West 949.67 feet therefrom, subject to the rights of the public in that part of Plautz Road on the Northerly side thereof.

be granted a Special Use in the " A-1 " district, to allow: An Event Venue and;

WHEREAS, the Planning and Zoning Commission has recommended to this Board that said premises should be granted a Special Use in the "A-1" district with the following conditions:

1. Any outdoor lighting shall be located so as not to unreasonably disturb the neighboring property owners or the safety of the motoring public.
2. Porta-potties including hand washing stations and potable water shall be provided for all commissioned events.
3. Parking shall be permitted on the pasture grasses without a hot mix surface, all parking shall be provided on site. There shall be no parking on or along Plautz Road.
4. Commissioned events shall only be permitted between the hours of 11:00 AM and 11:00 PM, Thursday through Sunday during the months of May through October.
5. All forms of sound generation from music shall be confined to the tent and/or pole barn/garage, if brought into compliance with adopted building codes.
6. The access points shall be in compliance with any regulations as set forth by the Montmorency Township Board and/or Road Commissioner.

NOW THEREFORE be it Resolved and Ordained by this Board, that the above described premises be and they are hereby granted said Special Use in said "A-1" district.

Motion by Mr. McGinn to approve the Resolution for a special use in the A-1 Agricultural District to allow for an event venue at 30075 Plautz Road, Rock Falls, as presented. Motion carried. Motion by Mrs. Britt to amend the motion to require Porta-potties including hand washing stations and potable water for item #2. Seconded by Mr. VanDeVelde. Motion carried. The question was then called on the original motion, as amended, and the motion was declared carried.

Mr. McGinn presented the following Resolution:

RESOLUTION NO. 3

WHEREAS, Case # 710, ReZone C-1 to A-1, Mill Road Solar I & II, LLC, 17507 & 17733 Mill Road, Prophetstown, IL 61277 owners of the within described real estate duly filed with the Building and Zoning Administrator, their petition praying that the premises described as follows to wit:

THAT PART OF THE SOUTHWEST QUARTER OF THE SOUTHEAST QUARTER OF SECTION 3, IN TOWNSHIP 19 NORTH, RANGE 5 EAST OF THE FOURTH PRINCIPAL MERIDIAN DESCRIBED AS FOLLOWS:
COMMENCING AT THE SOUTHWEST CORNER OF SAID SOUTHWEST QUARTER OF THE SOUTHEAST QUARTER OF SECTION 3; THENCE NORTH 89 DEGREES 49 MINUTES 40 SECONDS EAST, ALONG THE SOUTH LINE OF SAID SOUTHWEST QUARTER OF THE SOUTHEAST QUARTER, 250.41 FEET TO THE POINT OF BEGINNING;
THENCE NORTH 10 DEGREES 37 MINUTES 31 SECONDS WEST, 8.07 FEET; THENCE NORTH 10 DEGREES 37 MINUTES 28 SECONDS WEST, 162.61 FEET; THENCE NORTH 44 DEGREES 30 MINUTES 48 SECONDS WEST, 226.45 FEET; THENCE NORTH 33 DEGREES 42 MINUTES 08 SECONDS WEST, 113.99 FEET TO THE WEST LINE OF THE SAID SOUTHWEST QUARTER OF THE SOUTHEAST QUARTER; THENCE NORTH 00 DEGREES 24 MINUTES 50 SECONDS WEST ALONG SAID WEST LINE, 87.94 FEET; THENCE NORTH 26 DEGREES 13 MINUTES 13 SECONDS EAST, 400.21 FEET; THENCE NORTH 32 DEGREES 17 MINUTES 27 SECONDS EAST, 471.17 FEET; THENCE NORTH 32 DEGREES 15 MINUTES 29 SECONDS EAST, 30.12 FEET; THENCE NORTH 39 DEGREES 24 MINUTES 00 SECONDS EAST, 31.05 FEET TO THE NORTH LINE OF THE SAID SOUTHWEST QUARTER OF THE SOUTHEAST QUARTER; THENCE NORTH 89 DEGREES 49 MINUTES 40 SECONDS EAST ALONG SAID NORTH LINE, 280.10 FEET TO THE NORTHWEST CORNER OF THAT PART OF C.H. #39 (MILL ROAD) SOLD TO THE STATE OF ILLINOIS FOR HIGHWAY PURPOSES; THENCE SOUTH 00 DEGREES 10 MINUTES 20 SECONDS EAST ALONG THE WEST LINE OF SAID PARCEL SOLD TO THE STATE OF ILLINOIS, 50.00 FEET; THENCE SOUTH 85 DEGREES 35 MINUTES 44 SECONDS EAST ALONG THE SOUTH LINE OF SAID PARCEL SOLD TO THE STATE OF ILLINOIS, 100.32 FEET (THE NEXT 4 COURSES ARE ALONG SAID SOUTH LINE); THENCE NORTH 89 DEGREES 49 MINUTES 40 SECONDS EAST, 100.00 FEET; THENCE SOUTH 86 DEGREES 10 MINUTES 05 SECONDS EAST, 100.24 FEET; THENCE NORTH 89 DEGREES 49 MINUTES 40 SECONDS EAST, 200.00 FEET; THENCE NORTH 85 DEGREES 49 MINUTES 25 SECONDS EAST, 66.62 FEET TO THE EAST LINE OF SAID SOUTHWEST QUARTER OF THE SOUTHEAST QUARTER; THENCE SOUTH 00 DEGREES 24 MINUTES 50 SECONDS EAST, 1257.81 FEET TO THE SOUTH LINE OF SAID SOUTHWEST QUARTER OF THE SOUTHEAST QUARTER OF SECTION 3, THENCE SOUTH 89 DEGREES 49 MINUTES 40 SECONDS WEST, 1066.02 FEET TO THE POINT OF BEGINNING, SITUATED IN WHITESIDE COUNTY, ILLINOIS.

be re-classified from a(n) "C-1" district to a(n) "A-1" district, and;

WHEREAS, the Planning and Zoning Commission has recommended to this Board that said premises should be re-classified to a(n) "A-1" district,

NOW THEREFORE be it Resolved and Ordained by this Board, that the said premise be and they are hereby re-classified as a "A-1" district.

Motion by Mr. McGinn to approve the Resolution for a rezoning from C-1 Camping District to A-1 Agricultural District at 17507 & 17733 Mill Road, Prophetstown, as presented. Motion carried.

Mr. McGinn presented the following Resolution:

RESOLUTION NO. 4

WHEREAS, Case # 711, Mill Road Solar I, LLC, duly filed with the Building and Zoning Administrator, their petition praying that the premises located at 17507 Mill Road, Prophetstown, IL 61277, and legally described as follows:

THE SOUTHWEST QUARTER OF THE SOUTHEAST QUARTER OF SECTION 3, IN TOWNSHIP 19 NORTH, RANGE 5 EAST OF THE FOURTH PRINCIPAL MERIDIAN; EXCEPT THAT PART SOLD TO THE STATE OF ILLINOIS FOR HIGHWAY PURPOSES, COMMENCING AT THE NORTHWEST CORNER OF THE SOUTHWEST QUARTER OF THE SOUTHWEST QUARTER OF SAID SECTION 3; THENCE EASTERLY ON THE NORTH LINE OF THE SOUTH HALF OF THE SOUTH HALF OF SAID SECTION 3, A DISTANCE OF 3377.0 FEET TO A POINT, SAID POINT BEING 25 FEET NORTH OF STATION 53+00 ON THE CENTERLINE OF C.H. #39 (MILL ROAD); THENCE SOUTHERLY ON A LINE HAVING AN ANGLE OF 90 DEGREES AS MEASURED COUNTERCLOCKWISE FROM THE LAST DESCRIBED COURSE, A DISTANCE OF 50.00 FEET TO A POINT, SAID POINT BEING THE POINT OF BEGINNING OF THE LEASED AREA; THENCE SOUTH 85 DEGREES 35 MINUTES 44.5 SECONDS EAST, A DISTANCE OF 54.29 FEET ALONG THE SOUTH LINE OF MILL ROAD TO A POINT; THENCE SOUTH 00 DEGREES 09 MINUTES 32.41 SECONDS EAST, FROM SAID POINT, A DISTANCE OF 256.70 FEET TO A POINT; THENCE SOUTH 35 DEGREES 58 MINUTES 07.50 SECONDS WEST, FROM SAID POINT, A DISTANCE OF 248.29 TO A POINT; THENCE SOUTH 48 DEGREES 37 MINUTES 20.84 SECONDS WEST, FROM SAID POINT, A DISTANCE OF 139.39 FEET TO A POINT; THENCE SOUTH 22 DEGREES 02 MINUTES 54.45 SECONDS WEST, FROM SAID POINT, A DISTANCE OF 140.58 TO A POINT; THENCE SOUTH 12 DEGREES 03 MINUTES 25.71 SECONDS WEST, FROM SAID POINT, A DISTANCE OF 148.28 FEET TO A POINT; THENCE SOUTH 08 DEGREES 13 MINUTES 07.25 SECONDS EAST, FROM SAID POINT, A DISTANCE OF 106.07 FEET TO A POINT; THENCE SOUTH 33 DEGREES 50 MINUTES 01.02 SECONDS EAST, FROM SAID POINT, A DISTANCE OF 145.53 FEET TO A POINT; THENCE SOUTHEAST FROM SAID POINT, A DISTANCE OF 208.98 FEET TO THE SOUTH LINE OF THE SOUTHWEST QUARTER OF THE SOUTHEAST QUARTER OF SAID SECTION 3; THENCE SOUTH 89 DEGREES 49 MINUTES 39.84 SECONDS WEST ALONG SAID SOUTH LINE, A DISTANCE OF 556.41 FEET TO A POINT; THENCE NORTH 00 DEGREES 24 MINUTES 49.57 SECONDS WEST, FROM SAID POINT, A DISTANCE OF 1268.17 FEET TO SAID SOUTH LINE OF MILL ROAD; THENCE NORTH 89 DEGREES 49 MINUTES 39.84 SECONDS EAST, ALONG SAID SOUTH LINE, A DISTANCE OF 750.02 FEET TO THE POINT OF BEGINNING OF THE LEASED AREA.

be granted a Special Use in the A-1 District, to allow a Solar Farm, and;

WHEREAS, the Planning and Zoning Commission has recommended to this Board that said premises should be granted a Special Use in the A-1 District with the following conditions:

1. The active area of the solar farm shall be enclosed by a seven foot (7') fence with a gate for security purposes.
2. Any outdoor lighting shall be located so that it does not unreasonably disturb the neighboring property owners or the safety of the motoring public.
3. There shall be no employees permanently located at the site.
4. Routine service and maintenance shall be conducted during regular business hours.
5. A bond shall be required prior to the issuance of building permits insuring the proper decommissioning of the site.
6. Access to the site shall be approved/permitted by the jurisdiction having authority over the roadway.
7. In consideration for the issuance of this Special Use Permit, MILL ROAD SOLAR I, LLC, 4 LIBERTY SQUARE, BOSTON, MASSACHUSETTS 02109, its successors and assigns, shall defend, indemnify and save harmless from liability Whiteside County, Illinois and its officers, officials, employees and members of the County Board from and against any and all claims, demands, losses, lawsuits, causes of action, damages, injuries, costs, expenses, including but not limited to, attorney's fees and costs of litigation arising from or under this Special Use Permit or from the construction, maintenance or operation of the solar energy project contemplated under this Special Use Permit regardless of whether any such claim or litigation is based upon contract, tort or any other claimed legal theory.
8. Arrangements shall be made with the United States Department of Agriculture Farm Service Agency (FSA) before any construction is started as there are Conservation Reserve Program (CRP) filter strips buffering both sides of the creek.

NOW THEREFORE be it Resolved and Ordained by this Board, that the above described premises be and they are hereby granted said Special Use in said A-1 District.

Motion by Mr. McGinn to approve the Resolution for a special use in the A-1 Agricultural District to allow for a solar farm at 17507 Mill Road, Prophetstown, as presented. Motion carried.

Mr. McGinn presented the following Resolution:

RESOLUTION NO. 5

WHEREAS, Case # 712, Mill Road Solar II, LLC, duly filed with the Building and Zoning Administrator, their petition praying that the premises located at 17733 Mill Road, Prophetstown, IL 61277, and legally described as follows:

THE SOUTHWEST QUARTER OF THE SOUTHEAST QUARTER OF SECTION 3, IN TOWNSHIP 19 NORTH, RANGE 5 EAST OF THE FOURTH PRINCIPAL MERIDIAN; EXCEPT THAT PART SOLD TO THE STATE OF ILLINOIS FOR HIGHWAY PURPOSES, COMMENCING AT THE NORTHWEST CORNER OF THE SOUTHWEST QUARTER OF THE SOUTHWEST QUARTER OF SAID SECTION 3; THENCE EASTERLY ON THE NORTH LINE OF THE SOUTH HALF OF THE SOUTH HALF OF SAID SECTION 3, A DISTANCE OF 3377.0 FEET TO A POINT, SAID POINT BEING 25 FEET NORTH OF STATION 53+00 ON THE CENTERLINE OF C.H. #39 (MILL ROAD); THENCE SOUTHERLY ON A LINE HAVING AN ANGLE OF 90 DEGREES AS MEASURED COUNTERCLOCKWISE FROM THE LAST DESCRIBED COURSE, A DISTANCE OF 50.00 FEET TO A POINT ON THE SOUTH LINE OF MILL ROAD; THENCE SOUTH 85 DEGREES 35 MINUTES 44.5 SECONDS EAST, ALONG SAID SOUTH LINE OF MILL ROAD, A DISTANCE OF 100.32 FEET; THENCE NORTH 89 DEGREES 49 MINUTES 40.12 SECONDS EAST, ALONG SAID SOUTH LINE, A DISTANCE OF 100.00 FEET; THENCE SOUTH 86 DEGREES 10 MINUTES 04.88 SECONDS EAST, ALONG SAID SOUTH LINE, A DISTANCE OF 100.24 FEET; THENCE NORTH 89 DEGREES 49 MINUTES 40.12 SECONDS EAST, ALONG SAID SOUTH LINE, A DISTANCE OF 180.24 FEET, TO THE POINT OF BEGINNING OF THE LEASED AREA; THENCE NORTH 89 DEGREES 49 MINUTES 40.12 SECONDS EAST, ALONG SAID SOUTH LINE, A DISTANCE OF 19.76 FEET; THENCE NORTH 85 DEGREES 49 MINUTES 25.12 SECONDS EAST, ALONG SAID SOUTH LINE, A DISTANCE OF 66.62 FEET TO THE EAST LINE OF THE SOUTHWEST QUARTER OF THE SOUTHEAST QUARTER OF SAID SECTION 3; THENCE SOUTH 00 DEGREES 24 MINUTES 49.57 SECONDS EAST, ALONG SAID EAST LINE, A DISTANCE OF 1257.81 FEET TO THE SOUTH LINE OF THE SOUTHWEST QUARTER OF THE SOUTHEAST QUARTER OF SAID SECTION 3; THENCE SOUTH 89 DEGREES 49 MINUTES 39.84 SECONDS WEST, ALONG SAID SOUTH LINE, A DISTANCE OF 534.15 FEET TO A POINT; THENCE NORTH 31 DEGREES 20 MINUTES 22.37 SECONDS WEST, FROM SAID POINT, A DISTANCE OF 84.90 FEET TO A POINT; THENCE NORTH 30 DEGREES 15 MINUTES 16.54 SECONDS WEST, FROM SAID POINT, A DISTANCE OF 83.47 FEET TO A POINT; THENCE NORTH 29 DEGREES 40 MINUTES 17.04 SECONDS WEST, FROM SAID POINT, A DISTANCE OF 67.87 FEET TO A POINT; THENCE NORTH 18 DEGREES 05 MINUTES 08.68 SECONDS WEST, FROM SAID POINT, A DISTANCE OF 154.01 FEET TO A POINT; THENCE NORTH 16 DEGREES 23 MINUTES 13.93 SECONDS WEST, FROM SAID POINT, A DISTANCE OF 153.21 FEET TO A POINT; THENCE NORTH 16 DEGREES 00 MINUTES 48.75 SECONDS EAST, FROM SAID POINT, A DISTANCE OF 99.13 FEET TO A POINT; THENCE NORTH 29 DEGREES 24 MINUTES 33.22 SECONDS EAST, FROM SAID POINT, A DISTANCE OF 37.30 FEET TO A POINT; THENCE NORTH 32 DEGREES 55 MINUTES 47.59 SECONDS EAST, FROM SAID POINT, A DISTANCE OF 114.95 FEET TO A POINT; THENCE NORTH 41 DEGREES 38 MINUTES 36.82 SECONDS EAST, FROM SAID POINT, A DISTANCE OF 346.36 FEET TO A POINT; THENCE NORTH 27 DEGREES 20 MINUTES 05.70 SECONDS EAST, FROM SAID POINT, A DISTANCE OF 77.58 FEET TO A POINT; THENCE NORTH 89 DEGREES 54 MINUTES 41.29 SECONDS EAST, FROM SAID POINT, A DISTANCE OF 277.26 FEET TO A POINT; THENCE NORTH 00 DEGREES 24 MINUTES 49.57 SECONDS WEST, FROM SAID POINT, A DISTANCE OF 205.07 FEET TO THE POINT OF BEGINNING OF THE LEASED AREA.

be granted a Special Use in the A-I District, to allow a Solar Farm, and;

WHEREAS, the Planning and Zoning Commission has recommended to this Board that said premises should be granted a Special Use in the A-I District with the following conditions:

1. The active area of the solar farm shall be enclosed by a seven foot (7') fence with a gate for security purposes.
2. Any outdoor lighting shall be located so that it does not unreasonably disturb the neighboring property owners or the safety of the motoring public.
3. There shall be no employees permanently located at the site.
4. Routine service and maintenance shall be conducted during regular business hours.
5. A bond shall be required prior to the issuance of building permits insuring the proper decommissioning of the site.
6. Access to the site shall be approved/permitted by the jurisdiction having authority over the roadway.
7. In consideration for the issuance of this Special Use Permit, MILL ROAD SOLAR II, LLC, 4 LIBERTY SQUARE, BOSTON, MASSACHUSETTS 02109, its successors and assigns, shall defend, indemnify and save harmless from liability Whiteside County, Illinois and its officers, officials, employees and members of the County Board from and against any and all claims, demands, losses, lawsuits, causes of action, damages, injuries, costs, expenses, including but not limited to, attorney's fees and costs of litigation arising from or under this Special Use Permit or from the construction, maintenance or operation of the solar energy project contemplated under this Special Use Permit regardless of whether any such claim or litigation is based upon contract, tort or any other claimed legal theory.
8. Arrangements shall be made with the United States Department of Agriculture Farm Service Agency (FSA) before any construction is started as there are Conservation Reserve Program (CRP) filter strips buffering both sides of the creek.

NOW THEREFORE be it Resolved and Ordained by this Board, that the above described premises be and they are hereby granted said Special Use in said A-1 District.

Motion by Mr. McGinn to approve the Resolution for a special use in the A-1 Agricultural District to allow for a solar farm at 17733 Mill Road, Prophetstown, as presented. Motion carried.

Mr. McGinn presented the following Resolution:

RESOLUTION NO. 6

WHEREAS, Case # 713 Fargo Road Solar, LLC, duly filed with the Building and Zoning Administrator, their petition praying that the premises located at 3921 Matznick Road, Tampico, IL 61283, and legally described as follows:

ALL THAT PART OF THE NORTHEAST QUARTER OF SECTION 17, TOWNSHIP 19 NORTH, RANGE 6 EAST OF THE FOURTH P.M., WHITESIDE COUNTY, ILLINOIS THAT LIES NORTHERLY OF THE FORMER CHICAGO, BURLINGTON AND QUINCY RAILROAD (ALSO KNOWN AS BURLINGTON-NORTHERN RAILROAD), AND EAST OF THE NORTHERLY EXTENSION OF THE WEST LINE OF THE EAST 200 ACRES OF SAID SECTION 17 LYING SOUTH OF SAID RAILROAD, BOUNDED AND DESCRIBED AS FOLLOWS, TO-WIT: BEGINNING AT THE NORTHEAST CORNER OF THE NORTHEAST QUARTER OF SAID SECTION 17; THENCE SOUTH 00 DEGREES 49 MINUTES 09 SECONDS EAST ALONG THE EAST LINE THEREOF, A DISTANCE OF 33.00 FEET TO A POINT; THENCE SOUTH 89 DEGREES 40 MINUTES 53 SECONDS FROM THE EAST LINE THEREOF, A DISTANCE OF 33.00 FEET TO THE POINT OF BEGINNING OF THE LEASED AREA. THENCE SOUTH 00 DEGREES 49 MINUTES 09 SECONDS EAST ALONG THE WEST LINE OF MATZNICK ROAD, A DISTANCE OF 780.64 FEET TO THE NORTHERLY RIGHT OF WAY LINE OF THE FORMER CHICAGO, BURLINGTON AND QUINCY RAILROAD (ALSO KNOWN AS BURLINGTON-NORTHERN RAILROAD), SAID POINT BEING 49.5 FEET NORTHERLY OF, AND PERPENDICULARLY DISTANT FROM THE CENTERLINE OF SAID FORMER RAILROAD; THENCE NORTH 71 DEGREES 24 MINUTES 30 SECONDS WEST, ALONG SAID FORMER NORTHERLY RAILROAD RIGHT OF WAY, A DISTANCE OF 1508.62 FEET TO A POINT; THENCE NORTH 00 DEGREES 28 MINUTES 43.2 SECONDS EAST, A DISTANCE OF 291.71 FEET TO THE NORTH LINE OF SAID NORTHEAST QUARTER OF SECTION 17; THENCE NORTH 89 DEGREES 40 MINUTES 53 SECONDS EAST, ALONG SAID NORTH LINE, A DISTANCE OF 1416.32 FEET TO THE POINT OF BEGINNING OF THE LEASED AREA. SITUATED IN WHITESIDE COUNTY, ILLINOIS, be granted a Special Use in the A-1 District, to allow a Solar Farm, and;

WHEREAS, the Planning and Zoning Commission has recommended to this Board that said premises should be granted a Special Use in the A-1 District with the following conditions:

1. The active area of the solar farm shall be enclosed by a seven foot (7') fence with a gate for security purposes.
2. Any outdoor lighting shall be located so that it does not unreasonably disturb the neighboring property owners or the safety of the motoring public.
3. There shall be no employees permanently located at the site.
4. Routine service and maintenance shall be conducted during regular business hours.
5. A bond shall be required prior to the issuance of building permits insuring the proper decommissioning of the site.
6. Access to the site shall be approved/permitted by the jurisdiction having authority over the roadway.
7. In consideration for the issuance of this Special Use Permit, Fargo Road Solar, LLC, 4 LIBERTY SQUARE, BOSTON, MASSACHUSETTS 02109, its successors and assigns, shall defend, indemnify and save harmless from liability Whiteside County, Illinois and its officers, officials, employees and members of the County Board from and against any and all claims, demands, losses, lawsuits, causes of action, damages, injuries, costs, expenses, including but not limited to, attorney's fees and costs of litigation arising from or under this Special Use Permit or from the construction, maintenance or operation of the solar energy project contemplated under this Special Use Permit regardless of whether any such claim or litigation is based upon contract, tort or any other claimed legal theory.

NOW THEREFORE be it Resolved and Ordained by this Board, that the above described premises be and they are hereby granted said Special Use in said A-1 District.

Motion by Mr. McGinn to approve the Resolution for a special use in the A-1 Agricultural District to allow for a solar farm at 3921 Matznick Road, Tampico, as presented. Motion carried.

Mr. McGinn presented the following Resolution:

RESOLUTION NO. 7

WHEREAS, Case # 714, Spring Hill Road Solar, LLC, duly filed with the Building and Zoning Administrator, their petition praying that the premises located at 5793 Washington Road, Prophetstown, IL 61277, and legally described as follows:

THAT PART OF THE EAST HALF OF THE NORTHWEST QUARTER OF SECTION 5, TOWNSHIP 19 NORTH, RANGE 5 EAST OF THE FOURTH PRINCIPAL MERIDIAN, LYING SOUTHERLY OF SPRINGHILL ROAD AND LYING WEST OF WASHINGTON ROAD, DESCRIBED AS FOLLOWS; COMMENCING AT THE INTERSECTION OF THE SOUTH LINE OF SAID SPRINGHILL ROAD AND THE WEST LINE OF SAID WASHINGTON ROAD; THENCE SOUTH 19 DEGREES 33 MINUTES 06 SECONDS WEST, A DISTANCE OF 197.88 FEET ALONG SAID WEST LINE, TO THE POINT OF BEGINNING OF THE LEASED AREA; THENCE NORTHWEST FROM SAID POINT, A DISTANCE OF 65.69 FEET, TO A POINT; THENCE NORTH 00 DEGREES 03 MINUTES 39 SECONDS EAST, A DISTANCE OF 132.68 FEET FROM SAID POINT TO SAID SOUTH LINE OF SPRINGHILL ROAD. THENCE SOUTHWESTERLY 163.65 FEET ALONG SAID SOUTH LINE, BEING A CURVE TO THE RIGHT, HAVING A RADIUS OF 13617.72 FEET (CHORD BEARS SOUTH 67 DEGREES 27 MINUTES 02 SECONDS WEST, 163.65 FEET); THENCE SOUTH 66 DEGREES 48 MINUTES 24 SECONDS WEST ALONG SAID WEST LINE 319.30 FEET; THENCE SOUTHWESTERLY 187.98 FEET ALONG SAID SOUTH LINE, BEING A CURVE TO THE RIGHT, HAVING A RADIUS OF 34329.61 FEET (CHORD BEARS SOUTH 66 DEGREES 39 MINUTES 00 SECONDS WEST, 187.98 FEET) TO THE WEST LINE SAID EAST HALF OF THE NORTHEAST QUARTER; THENCE SOUTH 00 DEGREES 38 MINUTES 29 SECONDS EAST, A DISTANCE OF 1244.23 FEET ALONG SAID WEST LINE, TO A POINT; THENCE NORTHEAST FROM SAID POINT, A DISTANCE OF 177.67 FEET, TO THE WEST LINE OF WASHINGTON ROAD; THENCE NORTHEASTERLY 113.62 FEET ALONG SAID WEST LINE, BEING A CURVE TO THE RIGHT, HAVING A RADIUS OF 2819.29 FEET (CHORD BEARS NORTH 22 DEGREES 56 MINUTES 01 SECONDS EAST, 113.62 FEET); THENCE NORTH 19 DEGREES 33 MINUTES 06 SECONDS EAST, A DISTANCE OF 1346.64 FEET ALONG SAID WEST LINE, TO THE POINT OF BEGINNING OF THE LEASED AREA.

be granted a Special Use in the A-1 District, to allow a Solar Farm, and;

WHEREAS, the Planning and Zoning Commission has recommended to this Board that said premises should be granted a Special Use in the A-1 District with the following conditions:

1. The active area of the solar farm shall be enclosed by a seven foot (7') fence with a gate for security purposes.
2. Any outdoor lighting shall be located so that it does not unreasonably disturb the neighboring property owners or the safety of the motoring public.
3. There shall be no employees permanently located at the site.
4. Routine service and maintenance shall be conducted during regular business hours.
5. A bond shall be required prior to the issuance of building permits insuring the proper decommissioning of the site.
6. Access to the site shall be approved/permitted by the jurisdiction having authority over the roadway.
7. In consideration for the issuance of this Special Use Permit, SPRING HILL ROAD SOLAR, LLC, 4 LIBERTY SQUARE, BOSTON, MASSACHUSETTS 02109, its successors and assigns, shall defend, indemnify and save harmless from liability Whiteside County, Illinois and its officers, officials, employees and members of the County Board from and against any and all claims, demands, losses, lawsuits, causes of action, damages, injuries, costs, expenses, including but not limited to, attorney's fees and costs of litigation arising from or under this Special Use Permit or from the construction, maintenance or operation of the solar energy project contemplated under this Special Use Permit regardless of whether any such claim or litigation is based upon contract, tort or any other claimed legal theory.
8. A landscaped buffer shall be planted along the North property line with trees and/or shrubs with a minimum planting size of five feet (5') in height to reduce the visual impact to the neighboring property to the North.

NOW THEREFORE be it Resolved and Ordained by this Board, that the above described premises be and they are hereby granted said Special Use in said A-1 District.

Motion by Mr. McGinn to approve the Resolution for a special use in the A-1 Agricultural District to allow for a solar farm at 5793 Washington Road, Prophetstown, as presented. Motion carried.

Mr. McGinn presented the following Ordinance:

ORDINANCE NO. 8

Amending Ordinance Providing Restrictions as to the
Parking of Motor or Other Vehicles upon any County Road
Way or Right-of-Way

WHEREAS, the County of Whiteside, Illinois (the "County") is a duly organized and existing County of the State of Illinois; and

WHEREAS, the County is now operating under the provisions of the Illinois Counties Code, as supplemented and amended; and

WHEREAS, there is a Whiteside County Code ("the Code"), adopted on September 20th, 2016, subject to revision by Ordinance and Resolution of the Whiteside County Board from time to time; and,

WHEREAS, on June 19th, 2018 The Whiteside County Board adopted an ordinance restricting parking of motor vehicles in certain areas in the County; and,

WHEREAS, upon the advice of the State's Attorney's office section 4. needs to be amended to include penalties within the County's authority.

THEREFORE BE IT ORDAINED BY THE BOARD, AS FOLLOWS:

Paragraph 1. Section 4. That every person who violates any provision of this ordinance shall, for a first or second offense be ~~guilty of a petty offense assessed a fine of \$120.00~~ and for a third or subsequent violation ~~within one year after first violation~~, such person shall be ~~guilty of a Class C misdemeanor assessed a fine of \$250.00.~~

Paragraph 2. This Ordinance and every provision thereof shall:

Section 1. Be considered separable and the invalidation of any provision(s) shall not affect the validity of the remainder.

Section 2. Supersede any other Ordinance or Resolutions or parts thereof, in conflict herewith.

Section 3. This ordinance shall go into effect upon passage.

Motion by Mr. McGinn to approve an amendment to the ordinance Providing Restrictions as to the Parking of Motor or Other Vehicles upon any County Road Way or Right-of-Way. Motion carried.

Motion by Mr. McGinn to place on file the Public Works Committee's meeting report, September 2018 claim reports and related informational items, as presented. Motion carried.

Motion by Mr. Arduini to reappoint Mrs. Robin Brands as Supervisor of Assessments, for a four year term beginning 11/4/18. Motion carried.

Motion by Mr. Arduini to place on file the County Offices Committee's meeting report, September claims report and related informational items, as presented. Motion carried.

Motion by Mrs. Nelson to lay over for review an ordinance amending Chapter 6. Animals, as presented. Motion carried.

Motion by Mrs. Nelson to place on file the Health and Social Services Committee's meeting report, September claims report and related informational items, as presented. Motion carried.

Motion by Mr. Milby to set the Public Defender's salary at \$153,155.00 effective July 1, 2018. Motion carried.

Motion by Mr. Milby to place on file the Judiciary Committee's meeting report, September claims report and related informational items, as presented. Motion carried.

Motion by Mr. Milby to approve a 2.0% increase with a minimum of \$.50 per hour to all non-union employees (excluding the Health Department) effective the first full pay period in December 2018. Motion carried.

Motion by Mr. Milby to approve a 2.0% increase to the pay plan effective December 1, 2018, as presented. Motion carried.

Motion by Mr. Milby to place on file the Wage and Salary Committee's meeting report and related informational items, as presented. Motion carried.

Motion by Mrs. Britt to place on file the Public Safety Committee's meeting report, September claims report and related informational items, as presented. Motion carried.

Joel Horn, County Administrator, presented the County's financial documents.

Motion by Mr. Truesdell to lay over the County Fiscal Year Financial Documents including the Annual Budget Resolution, Appropriation Ordinance, and an Ordinance Authorizing and Allocating Aggregate and Individual Levies, as presented. Motion carried.

Motion by Mr. Truesdell to lay over the Special Service Area #2 Annual Budget Resolution, Appropriation Ordinance and Ordinance Authorizing and Allocating Aggregate and Individual Levies, as presented. Motion carried.

Motion by Mr. Truesdell to lay over the Special Service Area #1 Annual Budget Resolution, Appropriation Ordinance and Ordinance Authorizing and Allocating Aggregate and Individual Levies, as presented. Motion carried.

Motion by Mr. Truesdell to approve September 2018 mileage and travel reimbursement items for County Board members in the amount of \$1,597.60. On roll call members: Arduini, Ausman, Bitler, Britt, Celestino, Crandall, Cunniff, Duffy, Frank, Glazier, Hamilton, Jacoby, Koster, McGinn, Mead, Milby, Karen Nelson, Katherine Nelson, Pennell, Russell, Thompson, Truesdell, VanDeVelde and Wetzell (24) voted yes, members voting no: none, and the motion was declared carried.

Motion by Mr. Truesdell to place on file the Finance Committee's meeting report, September claims report and related informational items, as presented. Motion carried.

Mr. Duffy announced the reappointments of Arlene Benedict and Lois Grimm to the Spring Valley Cemetery Association. Motion by Mr. Truesdell to confirm the foregoing reappointments. Motion carried.

Mr. Duffy announced the appointment of John Booker to the Northwest Criminal Justice Commission. Motion by Mr. Truesdell to confirm the foregoing appointment. Motion carried.

Mr. Duffy announced the reappointments of Sharon Kelley, Jennifer R. Black, and Barbara Kophamer to the Morrison Hospital District Board. Motion by Mr. Truesdell to confirm the foregoing reappointments. Motion carried.

Motion by Mr. Truesdell to place on file the Executive Committee's meeting report, September claims report and related informational items, as presented. Motion carried.

Motion by Mr. Thompson that this meeting be adjourned, the Board to meet again on Tuesday, November 20, 2018 at 6:30 p.m. Seconded by Ms. Kathy Nelson. Motion carried. The meeting adjourned at 7:54 p.m.

Dana Nelson
Whiteside County Clerk

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