DeKalb County Government  
Sycamore, Illinois

COUNTY BOARD PROCEEDINGS  
September 21, 2022

The DeKalb County Board met in regular session at the Legislative Center’s Gathertorium on Wednesday, September 21, 2022, at 7:00 p.m. Chairman Frieders called the meeting to order, and the Clerk called the roll. Those Members present were Mr. Ellingsworth Webb, Vice-Chair Suzanne Willis, Mr. Tim Bagby, Mr. Scott Campbell, Ms. Mary Cozad, Mrs. Karen Cribben, Mr. Bill Cummings, Mr. Patrick Deutsch, Mrs. Laurie Emmer, Mrs. Kathy Lampkins, Ms. Dianne Leifheit, Mr. Jim Luebke, Mr. Jerry Osland, Ms. Michelle Pickett, Mr. Roy Plote, Mr. Stephen Reid, Mr. Craig Roman, and President John Frieders. Those absent were Mr. Larry West, Ms. Rukisha Crawford, Mr. John Emerson, Mr. Steve Faivre, Ms. Maureen Little, and Ms. Terri Mann-Lamb. A quorum was established with eighteen Members present and six absent.

Chairman Frieders asked Mr. Webb to lead in the reciting of the Pledge of Allegiance.

APPROVAL OF AGENDA  
Motion  
It was moved by Mr. Roman and seconded by Mr. Webb to approve the agenda as presented.

Voice Vote  
Chairman Frieders called for a voice vote on the motion to approve the agenda as presented. All Members present voted yea. Motion carried unanimously.

APPROVAL OF MINUTES  
Motion  
Vice-Chair Willis moved to approve the minutes of the August 17, 2022, County Board Meeting. Mrs. Emmer seconded the motion.

Voice Vote  
The Chair asked for a voice vote on the approval of the minutes. All Members voted yea. Motion carried unanimously.

Ms. Rukisha Crawford arrived. There were now nineteen Members present and five absent.

COMMUNICATIONS AND PROCLAMATIONS

Proclamation P2022-01: Allies for Agriculture for DeKalb County  
Motion  
Mr. Plote read aloud and moved to approve the Proclamation that acknowledges and supports agriculture within DeKalb County. The jobs created, tax generated, technologies embraced, and environmental practices implemented by farmers makes agriculture a valuable industry within our county. It also proclaimed that the DeKalb County Board and County Staff will work to support and promote the development and maintenance of agriculture for the benefit of our county and all its residents. Mr. Deutsch seconded the motion.

Voice Vote  
Chairman Frieders called for a voice vote. The Proclamation was unanimously approved, and Chairman Frieders presented a copy of the Proclamation to DeKalb County Farm Bureau Manager Mr. Greg Millburg.
Employee Service Awards - September
Chairman Frieders and the Board recognized and congratulated the following County Employees who celebrated Services Awards in the month of September 2022: Five Years: Krista Killey – Treatment Courts; Fifteen Years: Donny Adams – Information Management Office (IMO).

PUBLIC COMMENTS
Ms. Katherine Andraski, Franklin Township, requested the Board revise setbacks for non-conforming landowners in the solar Ordinance. She also expressed that she thought there should be a separate Ordinance addressing battery storage. Please see Exhibit A for detailed comments.

Mr. John Lyon, Mayfield Township, requested that the Board carefully consider any changes that they make to the Solar Ordinance changes, especially those made for non-participating residentially used properties of 12 acres or less. Please see Exhibit B for detailed comments.

Mr. John Lageman, Mayfield Township, detailed many concerns he has with the Industrial Solar Projects. He additionally requested having adequate setbacks of at least 500 feet and screenings for non-participating landowners.

APPOINTMENTS
Chairman Frieders recommended approval of the following appointments:

a. Kane, Kendall, DeKalb Workforce Development Board: Christine Devlieger and Kathy Johnson both newly appointed for terms beginning October 1, 2022, and expiring September 30, 2024; Joe Barbic and Joanne Kantner both reappointed until September 30, 2024.

b. Housing Authority of DeKalb County: Herodote Adjegan reappointed beginning November 1, 2022, until October 31, 2027; Sabrina Nicholson newly appointed immediately to fill the unexpired term of Deanna Cada until October 31, 2024.

Motion
It was moved by Vice-Chair Willis and seconded by Mrs. Lampkins to approve the recommended appointments.

Voice Vote
Chairman Frieders called for a voice vote. The motion carried unanimously.

REPORTS FROM STANDING COMMITTEES

COUNTY HIGHWAY COMMITTEE

Resolution R2022-212: A Resolution Approving Somonauk Road Jurisdictional Transfer to the Town of Cortland from North Street to Barber Greene Road

Motion
Mr. Plote moved that the DeKalb County Board hereby approves that approximately 9,897 feet (1.87 miles) of Somonauk Road from the south edge of the pavement of North Avenue to the south edge of the pavement of Barber Greene Road be permanently removed from the County Highway System and transferred to the Town of Cortland. Mrs. Emmer seconded the motion.

Voice Vote
Chairman Frieders called for a voice vote to approve the Resolution as presented. All Members present vote aye. The motion carried unanimously.

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LAW & JUSTICE COMMITTEE

Resolution R2022-213: A Resolution Authorizing Job Reclassifications for Certain AFSCME Positions in the Sheriff’s Office

Motion

Ms. Leifheit moved that the DeKalb County Board hereby authorizes and approves the reclassifications as recommended by the job audit committee for the positions within the Sheriff’s Office that are outlined in this Resolution. Mrs. Cribben seconded the motion.

Roll Call Vote

The Chair called for a roll call vote on the motion. Those voting aye were Mr. Webb, Vice-Chair Willis, Mr. Bagby, Mr. Campbell, Ms. Cozad, Ms. Crawford, Mrs. Cribben, Mr. Cummings, Mr. Deutsch, Mrs. Emmer, Mrs. Lampkins, Ms. Leifheit, Mr. Luebke, Mr. Osland, Ms. Pickett, Mr. Plote, Mr. Reid, Mr. Roman, and Chairman Frieders. The motion carried unanimously.

FINANCE COMMITTEE

Resolution R2022-214: A Resolution Authorizing the County Board Chair to Assign a Mobile Home Tax Sale Certificate of Purchase

Motion

Mr. Bagby moved that the DeKalb County Board hereby authorizes the Chairman of the Board to assign a Tax Sale Certificate of Purchase for the mobile home located on 87 Forest View Drive, Genoa, Illinois (P.I.N.: 03-30-131-001 0087O) in exchange for payment to the Treasurer of DeKalb County, Illinois, of the sum of $1,288.93, which shall be disbursed according to law. Mr. Reid seconded the motion.

Roll Call Vote

The Chairman called for a roll call vote. Those voting aye were Mr. Webb, Vice-Chair Willis, Mr. Bagby, Mr. Campbell, Ms. Cozad, Ms. Crawford, Mrs. Cribben, Mr. Cummings, Mr. Deutsch, Mrs. Emmer, Mrs. Lampkins, Ms. Leifheit, Mr. Luebke, Mr. Osland, Ms. Pickett, Mr. Plote, Mr. Reid, Mr. Roman, and Chairman Frieders. The motion carried unanimously.

FINANCE COMMITTEE


Motion

It was moved by Mr. Bagby and seconded by Mrs. Emmer that the DeKalb County Board hereby authorizes the Chairman of the Board to execute deeds of conveyance of the County’s interest or authorize cancellation of the appropriate Certificate(s) of Purchase, as the case may be for the following three (3) Resolutions to be paid to the Treasurer of DeKalb County Illinois, to be disbursed according to law:

<table>
<thead>
<tr>
<th>Resolution</th>
<th>Township</th>
<th>Parcel Number</th>
<th>Bidder</th>
<th>Total Collected</th>
</tr>
</thead>
<tbody>
<tr>
<td>R2022-215</td>
<td>DeKalb</td>
<td>08-12-200-009</td>
<td>Situs Cultivation, LLC</td>
<td>$2,000.00</td>
</tr>
<tr>
<td>R2022-216</td>
<td>DeKalb</td>
<td>08-22-277-003</td>
<td>Iron Mountain Properties</td>
<td>$25,150.00</td>
</tr>
<tr>
<td>R2022-217</td>
<td>Cortland</td>
<td>09-09-400-008</td>
<td>Rodney &amp; Patricia Barkei</td>
<td>$826.00</td>
</tr>
</tbody>
</table>

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Roll Call Vote
Chairman Frieders called for a roll call vote on the approval of the 3 Resolutions. Those Members voting aye were Mr. Webb, Vice-Chair Willis, Mr. Bagby, Mr. Campbell, Ms. Cozad, Ms. Crawford, Mrs. Cribben, Mr. Cummings, Mr. Deutsch, Mrs. Emmer, Mrs. Lampkins, Ms. Leifheit, Mr. Luebke, Mr. Osland, Ms. Pickett, Mr. Plote, Mr. Reid, Mr. Roman, and Chairman Frieders. All Members present voted aye. The motion carried unanimously.

Resolution R2022-218: A Resolution Approving Amendments to the FY22 Budget
Motion
Mr. Bagby moved that the DeKalb County Board hereby approves the attached Exhibit “A”, which includes FY2022 Budget amendments. These amendments reflect actual approved expenditures, the planned sale of the DCRNC and establishes the SRL Self Help Room. Mr. Cummings seconded the motion.

Roll Call Vote
The Chair called for a roll call vote. Those voting aye were Mr. Webb, Vice-Chair Willis, Mr. Bagby, Mr. Campbell, Ms. Cozad, Ms. Crawford, Mrs. Cribben, Mr. Cummings, Mr. Deutsch, Mrs. Emmer, Mrs. Lampkins, Ms. Leifheit, Mr. Luebke, Mr. Osland, Ms. Pickett, Mr. Plote, Mr. Reid, Mr. Roman, and Chairman Frieders. All Members present voted aye. The motion carried unanimously.

Resolution R2022-219: Placing the FY2023 Budget on File for Public Inspection
Motion
Mr. Bagby moved the DeKalb County Board hereby approves to place on file in the DeKalb County Clerk’s Office, on the County’s Website, and at two other geographically diverse public offices (the Sandwich City Hall and the office of the Genoa City Clerk), for public inspection the FY2023 Budget Preliminary Assumptions & Recommendation. Mr. Webb seconded the motion as presented.

Voice Vote
A voice vote was taken on the motion as presented. The motion carried unanimously.

Claims – September 2022
Motion
Mr. Bagby moved to approve the payment of claims for this month, and the off-cycle claims paid during the previous month, including all claims for travel, meals, and lodging, in the amount of $13,851,665.39. Ms. Pickett seconded the motion.

Roll Call Vote
Chairman Frieders asked for a roll call vote on the approval of the September 2022 Claims. Those Members voting aye were Mr. Webb, Vice-Chair Willis, Mr. Bagby, Mr. Campbell, Ms. Cozad, Ms. Crawford, Mrs. Cribben, Mr. Cummings, Mr. Deutsch, Mrs. Emmer, Mrs. Lampkins, Ms. Leifheit, Mr. Luebke, Mr. Osland, Ms. Pickett, Mr. Plote, Mr. Reid, Mr. Roman, and Chairman Frieders. All Members present voted aye. The motion carried unanimously.
Reports of County Officials

Motion

Mr. Bagby moved to accept and place on file the following Reports of County Officials:
1. Cash & Investments in County Banks – August 2022
2. Public Defender’s Report – August 2022
3. Adult & Juvenile Monthly Reports – August 2022
4. Pretrial Report – August 2022
5. Sheriff’s Jail Report – August 2022
6. Building Permits & Construction Reports – August 2022

Mr. Webb seconded the motion.

Voice Vote

The Chair requested a voice vote to accept the Reports of County Officials as presented. All Members present voted yea. The motion carried unanimously.

EXECUTIVE COMMITTEE

Resolution R2022-220: A Resolution Approving a Letter of Intent to Enter into a Solar Development Lease for the Community Outreach Building

Motion

Vice-Chair Willis moved that the DeKalb County Board hereby authorizes and directs the County Administrator of DeKalb County, Illinois to sign the Letter of Intent and Power Purchase Agreement including any modifications of the Letter of Intent subject to technical or otherwise non-substantive modifications, with Clean Energy Design Group, Inc. to enter into a long-term lease to provide a solar development on property owned by the County of DeKalb, located at 2500 North Annie Glidden Road, DeKalb, Illinois. Mr. Roman seconded the motion.

Roll Call Vote

The Chair called for a roll call vote on the motion as presented. Those voting aye were Mr. Webb, Vice-Chair Willis, Mr. Bagby, Mr. Campbell, Ms. Cozad, Ms. Crawford, Mrs. Cribben, Mr. Cummings, Mr. Deutsch, Mrs. Emmer, Mrs. Lampkins, Ms. Leifheit, Mr. Luebke, Mr. Osland, Ms. Pickett, Mr. Plote, Mr. Reid, Mr. Roman, and Chairman Frieders. All Members present voted aye. The motion carried unanimously.

Resolution R2022-221: A Resolution Approving an Engineering Proposal for the DSATS 2022 Pavement Condition Study

Motion

Vice-Chair Willis moved that the DeKalb County Board hereby approves to enter into an agreement with the Engineering Firm of Applied Research Associates, Inc. of Champaign, Illinois for certain Engineering Services associated with a pavement condition study through the DSATS MPO, DeKalb County in an amount estimated to not exceed $67,000.00, and further authorizes the Chairman of the Board to execute the appropriate Engineering Services Proposal with Applied Research Associates, Inc. Ms. Cozad seconded the motion.

Roll Call Vote

The Chairman called for a roll call vote on the motion. Those voting aye were Mr. Webb, Vice-Chair Willis, Mr. Bagby, Mr. Campbell, Ms. Cozad, Ms. Crawford, Mrs. Cribben, Mr. Cummings, Mr. Deutsch, Mrs. Emmer, Mrs. Lampkins, Ms. Leifheit, Mr. Luebke, Mr. Osland, Ms. Pickett, Mr. Plote, Mr. Reid, Mr. Roman, and Chairman Frieders. All Members present voted aye. The motion carried unanimously.
Resolution R2022-222: Approval of AFSCME Council 31, Local 3537 Labor Contract for the DeKalb County Rehab & Nursing Center

Motion
Vice-Chair Willis moved that the DeKalb County Board does concur in the recommendation of its negotiators and does hereby ratify the labor contract with AFSCME Council 31, Local 3537 representing the DeKalb County Rehab & Nursing Center for the period of January 1, 2022, through December 31, 2023, as stipulated on Exhibit A to this Resolution and does direct the Chairman to execute the contract as prepared by the County’s Labor Attorney. Mr. Luebke seconded the motion.

Roll Call Vote
The Chairman called for a roll call vote on the motion. Those voting aye were Mr. Webb, Vice-Chair Willis, Mr. Bagby, Mr. Campbell, Ms. Cozad, Ms. Crawford, Mrs. Cribben, Mr. Cummings, Mr. Deutsch, Mrs. Emmer, Mrs. Lampkins, Ms. Leifheit, Mr. Luebke, Mr. Osland, Ms. Pickett, Mr. Plote, Mr. Reid, Mr. Roman, and Chairman Frieders. The motion carried unanimously.

Resolution R2022-223: Authorizing the Approval and Release of Certain Executive Session Meeting Minutes, and the Destruction of Certain Verbatim Recordings

Motion
Vice-Chair Willis moved that the DeKalb County Board hereby approves and approves to release the executive session minutes indicated as being recommended for release on the Executive Session Meeting Index (Exhibit A), the Board further approves the destruction of the verbatim recordings of those executive session meetings which are older than 18 months and which the County has approved the written minutes thereof. Mr. Plote seconded the motion.

Voice Vote
A voice vote was taken on the motion as presented. The motion carried with one opposition from Mr. Campbell.

OLD BUSINESS / NEW BUSINESS
None.

ADJOURNMENT
Motion
Mr. Webb moved to adjourn the meeting at 7:41 p.m. Mrs. Emmer seconded the motion.

Voice Vote
The motion to adjourn the meeting carried unanimously.

_________________________   ____________________________
Douglas J. Johnson     John Frieders
DeKalb County Clerk     DeKalb County Board Chairman

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Katie Andraski  
Kingston Township

Thank you for the DeKalb County Proclamation: Allies for Agriculture for DeKalb County.
Thank you for saying you will work to support the development and maintenance of agriculture for the benefit of our county and all its citizens.

Thank you for providing a public forum for members of the public to present our perspective on industrial solar being developed in our county.

Thank you for taking a reasonable approach to establishing fair limits for industrial solar in the county. I hope you will continue to consider how our county’s economy and nature are based in agriculture, not electrical generation.

I am not in favor of the current solar ordinance as written or revised because it does not take non participating landowners into account while solar companies earn big bucks from subsidies, the county earns tax revenue and the participating landowners receive 400% more in leases. Several studies have shown how industrial solar hurts property values.

During the public hearing with regards to the new ordinance, I heard that Kevin Adelman of Leeward asked to have the ordinance requirement of surveying drain tiles waived because it would cost $100,000. Perhaps if a company can’t afford to fulfill the requirements of the special use permit maybe they can’t afford to install an industrial solar farm in our county. I have heard from another county that if tile is damaged, solar companies will say sue me, which is a big ask for most farmers. Farmers and the land deserve better care than that.

Amazon took their rooftop solar installations offline because of fires due to a third party not installing them properly. They used Clean Energy Associates to audit their rooftop solar plants. I hope you consider requiring membership in the North American Board of Certified Practitioners for solar developers in the new ordinance. And perhaps have the industrial plants be audited by the Clean Energy Associates. https://www.cnbc.com/2022/09/01/amazon-took-solar-rooftops-offline-last-year-after-fires-explosions.html

I would also hope you consider granting a 3 in 100 ratio for a set back from the property line of non-participating landowners with farms of 12 acres or less. This will encourage companies to use newer technology that calls for smaller, more efficient panels and also protects the nonparticipating landowner from solar panels that might be larger. Kevin Adelman was granting that kind of setback for a solar project in Pueblo Colorado, a project the community turned down.

Please consider making batteries a separate ordinance. Michael Shellenberger writes that Lithium batteries can be lethal. “In New York City alone, lithium battery fires in 2021 killed three and injured 57, while in the first half of 2022, they killed five people and injured 73. Meanwhile at a Tesla Battery facility in Moss Landing in Monterey County, California, emitted so much toxic smoke that the Fire and Sheriff Departments issued a shelter in place order, asking people to close windows and closing several roads.” See:

Thank you.
DeKalb County Board, thank you for this opportunity to speak.

I ask you to carefully consider any changes that you may make to the Solar ordinance changes that are to come before you in the near future. Special consideration must be made for non-participating residentially used properties of 12 acres or less.

Please also review my 43 comments made at the public hearing on the RED LINE proposed revision of the Solar ordinance. They are listed by page and paragraph. Each are corrective concerns, not vague comments from the opposition to our concerns. The comments are to the RED LINE copy presented at the PZC meeting July 27, 2022. The version of the same RED LINE presented at the public hearing has different page numbers, however all paragraphs are in order. Therefore, when you find the first item the rest follow in order if you are using the later print date.

I present to you, so that there is no confusion, the fact that under section 307 of the Tariff Act of 1930: presumption of the fact that forced labor is used in the production of any goods, wares, articles, and merchandise mined, produced, or manufactured wholly or in part in the Xinjiang Uyghur Autonomous Region of the People’s Republic of China, or produced by certain entities, is prohibited by section 307 and that such goods, wares, articles, and merchandise are not entitled to entry to the United States.

It is the duty of this DeKalb County Board to assure that it assures to its residents that this ACT that went into effect June 21, 2022 is followed precisely.

Attached: JML 43 comments, US Customs and Boarder Protection document
Forced Labor

The Uyghur Forced Labor Prevention Act

The Uyghur Forced Labor Prevention Act (UFLPA) establishes a rebuttable presumption that the importation of any goods, wares, articles, and merchandise mined, produced, or manufactured wholly or in part in the Xinjiang Uyghur Autonomous Region of the People’s Republic of China, or produced by certain entities, is prohibited by Section 307 of the Tariff Act of 1930 and that such goods, wares, articles, and merchandise are not entitled to entry to the United States.

The UFLPA rebuttable presumption went into effect on June 21, 2022. Please visit our UFLPA webpage for all updates on implementation.

What is Forced Labor?

CBP defines forced labor as all work or service which is exacted from any person under the menace of any penalty for its nonperformance and for which the worker does not offer work or service voluntarily. Indentured labor is defined as work or service performed pursuant to a contract, the enforcement of which can be accomplished by process or penalties. This includes forced or indentured child labor.

CBP Forced Labor Enforcement Process

How does CBP address Forced Labor?

CBP implements Section 307 of the Tariff Act of 1930 (19 U.S.C. 1307) through issuance of Withhold Release Orders (WRO) and findings to prevent merchandise produced in whole or in part in a foreign country using forced labor from being imported into the United States.

Source URL: https://www.cbp.gov/trade/forced-labo
Thank you for this opportunity to speak to the concerns about Ordinance 2018-06 a Solar Energy System Ordinance For DeKalb County, Illinois.

I find faults with the proposed changes as presented at the PZC Meeting July 27, 2022. I am here to express some of my concerns. First, I will express items in the text of the document. I welcome response to my comments as I proceed.

Page 123 para A, 1. Purpose (line 5) “to avoid adverse impact to important area such as agricultural land, endangered species habitats, conservation land, and other sensitive lands.” THE LAND OWNED BY NON-PARTICIPATING RESIDENTUALLY USED PARCELS OF TWELVE (12) ACRES OR LESS ARE SENSITIVE LANDS FOR THE RESIDENTIAL LAND OWNER. THESE LANDS MUST BE PROTECTED.

Page 123 para A, 2 Definitions

Renewable Energy Easement............permissible development on burdened land – the term burdened land needs to be defined.

Solar Access: Unobstructed access to direct sunlight on a lot or building through the entire year, including access across adjacent parcel air rights, for the purpose of capturing direct sunlight to operate a solar energy system.

THIS VIOLATES THE RIGHTS OF ADJACENT LAND OWNERS. THIS INFERS THAT ANY EXISTING STRUCTURES OR NATURAL GROWTH PLANTS MUST BE REMOVED.

A continuing comment from current PZC members is that land owners have the right to use their land as they wish. This definition EXTREMELY VIOLATES THIS PREMICE as it controls the non-participants use of their property.
Page 124 new para Solar Facility—no mention of BATTERY OR BATTERY STORAGE FACILITY.

Page 124 Solar Garden the size 20 acres has been removed, so these can become a solar farm by daisy chaining plots together to make gardens into the scale of a solar farm, THERE IS NO MENTION OF THE FACT THAT SOLAR GARDENS ARE DEFINED BY THEIR NAME PLATE OUTPUT.

Page 124 Solar Farm “ for the primary purpose of wholesale sales of generated electricity. A solar farm is the principal land use for the parcels on which it is used,” THEREFORE, THE PARCELS MUST BE TAXED AS COMMERCIAL, NOT AGRICULTURAL OR OTHER DEFINITION. THIS IS A BAD RULE.

Page 124 para 3.) sub para b Solar Plot There is no definition of “STORAGE”

Page 125 c. Solar Farms 1) sub para 2 Top soil shall not be removed during development, unless part of the remediation effort. NO DEFINITION OF REMEDIATION EFFORT.

Page 125 c. Solar Farms 1) sub para 5 A strip of turfgrass the width of one commercial mower, or as otherwise ................COMMERCIAL MOWER NEEDS TO BE BETTER DEFINED AS THEY ARE AVAILABLE IN WIDTHS FROM 21 INCHES TO MORE THAN 10 FEET.

Page 126 new para 4) “ set back from occupied structure“ PROPERTY MUST BE FURTHER DESCRIBED AS I WILL DISCUSS LATER IN THIS PRESENTATION.

Page 126 new para 5) Interconnection point, “further than twenty feet from a right-of-way or existing power line” NEED DEFINITION OF RIGHT-OF-WAY.

Page 126 para 4) sub para b. Site Plan. THERE IS NO MENTION OF NON-PARTICIPATING LAND OWNERS OR OF RESIDENTIALY USED PROPERTY.

Page 127 para 4) new sub para d, Legal Descriptions: THERE SHOULD BE ADDED---AND CONNECTIONS TO NON-PARTICIPATING LAND OWNERS.

Page 127 para 4) sub para f. Landscape plan. NO DEFINATION OF NON-POPULATION OF PLANTS WHICH IS COMMONLY REFERRED TO AS “NON-POPULATION OF ONE SQUARE METER”
Page 127 para 5) a. 2) No SES shall be allowed in the front yard of any residentially used or zoned property, DEFINE FRONT YARD.

Page 128 para 7 Fencing. Add THE FENCING MUST BE PLACED 8 INCHES ABOVE THE GROUND SO THAT NATIVE SMALL SPECIES CAN HAVE ENTRANCE AND EGRESS FROM THE LAND THEY HAVE OCCUPIED FOR CENTURIES.

Page 128 para 8 Lighting. Any lighting for SES shall be installed for security and safety purposes only. Except for lighting that is required by the FCC or FAA, all lighting shall be shielded so that no glare extends substantially beyond the boundaries of the facility. SUBSTANTIALLY IS A NEBULOUS TERM AND IS A POOR TERM TO USE HERE. THE GLARE OR LIGHT SHOULD NOT EXTEND PAST THE BOUNDARIES OF THE FACILITY.

Page 129 para 6) a. ........after notifications from the Zoning Department.... SHOULD BE COMMUNITY DEVELOPMENT DEPARTMENT

Page 130 para (a). sub para 7b) Request estimates from construction/demolition companies.................ALL EXPENSES PAID BY THE DEVELOPER.

Page 131 para c) 1) Items required to be required to be removed include, but are not limited to panels, inverters, foundations pads, electrical collection systems and transporters; underground cables, ALL CONDUIT, fencing.........( NOTE: IF CABLES ARE DESCRIBED AS UNDERGROUND, THEY ARE PLACED IN CONDUIT)

Page 131 para d) 6) An independent CERTIFIED drainage engineer shall be present to ensure ALL drainage tiles, waterways, culverts, etc. are repaired as work progresses AT THE EXPENSE OF THE DEVELOPER.

Page 131 para d) 7) A soil erosion control plan shall be approved by the County Engineer and the DeKalb County Soil and Water Conservation District. ALL EXPENSES TO BE PAID BY THE DEVELOPER.

Page 131 para c) Estimating the Costs of Decommissioning THERE IS NO DISCUSSION OF WHO GETS THE FUNDS RELATED TO SALVAGE VALUE.

Page 132 para c, sub para 3) Adjustments to the financial assurance amount that reflect changes in decommissioning costs and salvage values shall be resubmitted every five (5) years WHO IS RESPONSIBLE FOR THIS OVER SIGHT—SURELY NOT THE
COUNTY BOARD THAT IS A YEAR PAST THE REQUIRED REVIEW OF THE DeKALB COUNTY COMPREHENSIVE PLAN.

Page 132 para f), sub para 3) Financial Assurance: sub para3) The escrow agent shall release the decommissioning funds when the SES owner or operator has demonstrated and DeKalb County concurs that the decommissioning has been satisfactorily completed, WHO AT DeKALB COUNTY MAKES THIS DECISION?

Page 133 new para 3) The County determines in its discretion, that the parties.......WHO AT THE COUNTY MAKES THIS DECISION?

Page 133 para 8. sub para a.) Liability Insurance and Indemnifications  For Solar Farm and Solar Gardens SOLAR GARDEN PLOTS. injury and property damage with limits of at least $3 million per occurrence and $5 million in the aggregate. THESE DOLLAR AMOUNTS ARE SEVERELY LOW. LAW SUITES NOW RUN IN THE TENS OF MILLIONS OF DOLLARS OR MORE. SOME HOME OWNERS HAVE MORE COVERAGE THAN THIS.

Page 134 para 9. sub para 6.) Tree/Shrub Replacement: At least 80% of the trees/shrubs identified in the permitted plans must remain alive and healthy throughout the life of the facility. SO WHAT THIS SAYS IS THAT THE SCREENING REQUIREMENT IS NOT MET FOR 20% OF THE SITE.THIS IS TOTALLY UNACCEPTABLE AND MUST BE RECTIFIED. THIS SEVERELY NEGATIVELY EFFECTS ALL DeKALB COUNTY NON-PARTICIPATING RESIDENTIAL LAND OWNERS. THIS VIOLATES page 136 para 3.) Tier 2 BESS 1) sub para 5. All screening shall be maintained by the BESS owner for the life of the facility, with replacement plantings and /or berm maintenance conducted as necessary.

Page 134 para c.) 1) Annual Monitoring and Maintenance Reports: Details reports that must be submitted, REPORT TO WHOM? THERE IS NO PENALTY FOR NON COMPLIANCE.

Page 135 para 8&9) Compliance WHO DOES FOLLOW UP ON COMPLIANCE?

Page 136 para 3). Sub para 2.) Setbacks: All components except the interconnection points, installed as part of the BESS shall be setback at least five hundred (500) feet from the nearest outer wall of an occupied structure not located on the subject property. ADD: SETBACK SHALL BE AT LEAST TO FIVE (500) FEET
FROM THE PROPERTY LINE OF NON-PARTICIPATING LAND OWNER OCCUPIED STRUCTURE WHERE THE PROPERTY ACERAGE IS TWELVE (12) ACRES OR LESS.

Page 137 para 4.) c Tile investigation Report. WHAT IF DAMAGE OCCURRS WITHIN THE SITE THAT RESULTS IN PROBLEMS WITH INTERCONNECTED TILE?

Page 137 para 4.) sub para g.) Fire Safety Compliance Plan. Such plan shall document and verify that the system and its associated controls and safety systems are in compliance with Code. WHAT CODE?

Page 138 para h,) sub para 8.) Procedures and schedules for conducting drills of these procedures and for training local fire responders on the contents of the plan and appropriate response procedures. PROVIDE ALL NECESSARY EQUIPMENT TO EACH OF THE FIRE DISTRICTS IN PROXIMITY AND MUTUAL AID FIRE DISTRICTS TO DEAL WITH ANY HAZARDOUS EVENT WITH REGARD TO ANY OF THE SITE FACILITIES EQUIPMENT, SUPPLIES, OR ANYTHING IN THE SITE. ALL COSTS ARE TO BE AT THE EXPENSE OF THE SITE OWNER OR OPERATOR.

Page 138 para 10.) sub para a.) AS BEFORE DEFINE FRONT YARD

Page 138 para 10.) sub para 6.) Fencing. AS BEFORE FENCE EIGHT (8) INCHES OFF GROUND.

Page 138 para 10.) sub para 7.) Lighting ........glare extends substantially beyond... As I stated previously... SUBSTANTIALLY IS A NEBULUS TERM AND IS A POOR TERM TO USE HERE. THE GLARE OR LIGHT SHOULD NOT EXTEND PAST THE BOUNDARIES OF THE FACILITY

Page 139 para 11.) sub para 2.) Plan approvals. THIS ALLOWS ONE PERSON APPROVAL WITH NO OVERSIGHT FOR VERY LARGE PROJECTS THAT MAY NOT COMPLY WITH BUILDING OR ELECTRICAL CODES.

Page 139 para 12.) Decommissioning MUST BE MADE TO CONCUR WITH PREVIOUS IN THIS ORDINANCE AND ALL EXPENSES TO BE PAID BY DEVELOPER.

Page 140 para i.) sub para 11.) Identification of the procedures for DeKalb County to access the financial assurances: and....... .... WHAT IS MISSING FROM SENTENCE?

Page 140 para L.) Provisions for the restoration of soil and vegetation: DEFINITION OF TERMS USED WITH REGARD TO INDUSTRY ACCEPTED TERMS: THE TERM
"UNDERGROUND DENOTES CABLE OR WIRE IN CONDUIT" "BURIED DENOTES CABLE OR WIRE DIRECT BURIED IN THE EARTH WITHOUT EXTERNAL PROTECTION"

Page 140 para L) sub 6.) An independent engineer.....CERTIFIED INDEPENDENT ENGINEER..........ADD AT THE EXPENSE OF THE DEVELOPER.

Page 141 WHOLE PAGE---COORDINATE APPROPRIATE CHANGES WITH PREVIOUS COMMENTS.

Page 143 new para a. third line management project, in accordance with the requirements of this division DEFINITION OF DIVISION?

SOME THOUGHTS THAT I WOULD LIKE TO CONVEY

OUR FAMILY DOES NOT SUPPORT THE CHANGED ORDINANCE AS PRESENTED TODAY. IT IS BASED ON THE SOLAR INDUSTRY AS WAS CURRENT TECHNOLOGY AND EXPERIENCE PRIOR TO 2018. MUCH AS CHANGED AND SOME RETHINKING MUST BE CONSIDERED.

Renewable energy does not perform as expected and this ordinance should consider what other states and countries have found and how they have reacted.

1) Wall Street Journal 26 Aug 2022, pg A14 “Japan Revives Nuclear Power”  
Energy common sense is in short supply these days, so all the more reason to cheer Japan for rethinking its flight from nuclear power. Prime minister Fumio Kishida on Wednesday unveiled plans to return nuclear energy to a central place in the countries electric grid. Tokyo will aim to bring back seven reactors back into service, for a total of 17. Thirty three are under review for safety checks.

2) WSJ 4 Jan 2022 pg A16 Gordon Jones “California decommissions nuclear, renewables can hardly make up the loss”. Case in point: Los Angeles Water and Power, for which I worked, built the Pine Tree Wind Farm with
90 windmills on 8000 acres at a cost of $425 million. On average it provides only 0.43% of the required power for Los Angeles

3) WSJ 5 July 2022, Pg A17 “Biden has to choose: climate change or human rights in China” “Electric car batteries and solar panels rely on raw materials produced with forced and child labor” in China.

Many of the materials needed to produce and construct solar panels and storage batteries come from SLAVE labor in China and Africa. DeKalb County Government must mandate and provide oversight that none of the materials used in solar panels or batteries placed in DeKalb County originate or are contained in product from slave or forced labor. A provision in the revised ordinance must address this with qualified non-partial third-party oversight to assure a complete paper trail of all components and assemblies as to origin, manufacturing, shipping records and others as needed from origin of materials to delivery in DeKalb County. Failure of DeKalb County to mandate this constitutes that DeKalb County supports and condones Slave Labor. This is possible to accomplish. A paper trail lead acid battery manufacturer, sales, and proper disposal is required by law.

Screening from view must be defined such that there is no sight, 100% blockage of view of the solar farm from anywhere on residentially used property. This screening must be in effect 24 hours a day all year long. This screening must take into consideration the topography of the land. A severe penalty for non-compliance must be associated with this requirement. The residentially used land owner must not be encumbered upon.

Setbacks from residentially used and occupied land should be set from the property line of plots that are 12 acres or less. It is only fair that the property owner may enjoy as much happiness and sight from anywhere on their property, not just from inside their house. These owners live in rural DeKalb County for the view and non-industrial atmosphere. They are not like some of you who choose to live in an apartment or packed in subdivision. Please appreciate the plight of the rural taxpayers. Is there a scientific reason to take away the visual pleasure of these taxpayers?

Setbacks should be determined by a logical method. Not one size fits all. A logical method would be to determine the set back from non-participating residentially
used property of twelve (12) acres or less is to determine the setback distance by a ratio of height of panel to the distance of setback to the property line. A ratio of panel height to distance of setback of 100 to 3 is a reasonable consideration. A three (3) foot panel would have one hundred (100) foot setback, a fifteen (15) foot panel would have a five hundred (500) foot setback from the property line of a non-participating residentially used property of twelve (12) acres or less.

Setbacks of five hundred (500) feet from residentially used property lines are reasonable and currently in proposals from solar developers. Recently LEEWARD ENERGY and Kevin Adleman (who DeKalb County is currently working with) proposed five hundred (500) foot setbacks in the Pronghorn Solar Park located in Pueblo County, Colorado. “The Pueblo Chieftain, June 9 2022”

When a solar building permit is submitted, there is no provision for public comment. So, the only recourse is for DeKalb County taxpayers to sue the County in court. The building permit should be brought up for public comment as in this public hearing. These are very large projects that could use public comment. I support all the corrections needed in this ordinance revision.

I believe that the subject of battery storage should be a separate ordinance so it can be applied to other commercial electrical storage facilities. Why have to write this back into other ordinances at the expense of the taxpayers?