

DRAFT 9-3-20

THE CONTENT OF THIS DRAFT DOCUMENT IS SUBJECT TO REVIEW, INPUT AND REVISION BY THE COUNTY BOARD MEMBERS PRIOR TO FINAL ACTION

**BOARD OF COMMISSIONERS OF MORGAN COUNTY, ILLINOIS
ORDINANCE NO. 2020 - _____**

**AN ORDINANCE APPROVING THE APPLICATION FOR
A WIND ENERGY CONVERSION SYSTEM SITING APPROVAL PERMIT
SUBMITTED BY LINCOLN LAND WIND, LLC FOR A WIND ENERGY CONVERSION SYSTEM (“WECS”)
KNOWN AS THE LINCOLN LAND WIND PROJECT (“PROJECT”)**

WHEREAS, on February 18, 2020, Lincoln Land Wind, LLC (“Applicant” or “Lincoln Land Wind”) filed an application (the “Application”) pursuant to Morgan County’s Wind Energy Conversion Systems Siting Regulations Ordinance, Ordinance No. 2019-10-A (“WECS Ordinance”), seeking approval of the Application and issuance of a WECS Siting Approval Permit to construct and operate the Lincoln Land Wind Project (the “Project”). A copy of the WECS Ordinance is incorporated into this incorporated by reference into this Siting Approval Permit Ordinance as **Group Exhibit “G”**; and

WHEREAS, the Project consists of the construction and operation of a wind turbine farm with up to 107 wind turbines located on approximately 36,000 acres of agricultural land in eastern Morgan County, Illinois, with the center of the Project area located 8 miles east of south Jacksonville. The Project is roughly bounded by the Morgan-Sangamon County line to the east, the Village of Franklin to the south, slightly beyond Old State Road to the north, and the junctions of State Highway 104 and Interstate 72 to the west. The transportation corridors within the Project area include Interstate 72, Illinois State Highway 104, and several roads that fall under the jurisdiction of Morgan County and local Road Districts. The Project area is largely utilized for agricultural purposes, with corn and soybeans as the predominant crops. The proposed wind turbines will be located on land currently used for growing crops, with each turbine and access road utilizing approximately 0.25 to 0.50 acres of land. The access roads to each turbine will comprise most of this acreage. In some cases, existing field lanes are being upgraded to an access road. Both landowners and tenant farmers can use the access roads for agricultural purposes. In addition, construction and operation of the Project will not significantly affect current land use in the Project area, and crop production can continue up to and surrounding the wind turbines and access roads. The Project Maps and Site Plan are incorporated by reference herein as part of **Group Exhibit “A”** and made a part hereof; and

WHEREAS, the Application, which is on file with Morgan County (the “County”) and is incorporated herein by reference as **Group Exhibit “A”** and made a part hereof, consists of the following Project-related documents for consideration and approval:

- a. Capacity and Dimensions of Considered Turbine Models (Table 1.4);
- b. Direct Economic Benefit from Lincoln Land Wind (Table 1.6.1);
- c. Projected Property Tax Revenues generated from 303.6 MW (Table 1.6.2);
- d. Agency coordination milestones for the proposed Lincoln Land Wind Project (Table 2.4);
- e. IDNR Recommendations and Lincoln Land Wind Response (Table 3.1);
- f. Summary of Decommissioning Costs (Table 6);
- g. Project Maps and Site Plan (Appendix 1);
- h. Landowners with Facilities (Appendix 1.1);

- i. Project Summary (Appendix 1.2);
- j. Site Control (Appendix 1.3);
- k. County Setbacks (Appendix 1.4);
- l. All Setbacks (Appendix 1.5);
- m. Environmental & Structures; Topographic (Appendix 1.6);
- n. Landowner Contact Data (Appendix 2);
- o. Shadow Flicker (Appendix 3);
- p. Sound Modeling Report (Appendix 4);
- q. Economic Impact Study (Appendix 5);
- r. Community Grants Program (Appendix 6);
- s. Decommissioning Plan (Appendix 7);
- t. Federal Aviation Administration (FAA) (Appendix 8);
- u. National Telecommunications and Information Administration (NTIA) (Appendix 9);
- v. Environmental Reports (Appendix 10);
- w. Agricultural Impact Mitigation Agreement (AIMA) (Appendix 11);
- x. Evaluation of Public Roads (Appendix 12);
- y. Communication Analysis (Appendix 13);
- z. Property Values Study (Appendix 14);
- aa. Turbine Design and Certification (Appendix 15);
- bb. Emergency Action Plan (Appendix 16);
- cc. Drainage Plan (Appendix 17);
- dd. Financial Assurance (Appendix 18); and
- ee. Railroad Easement (Appendix 19);

(collectively referred to as the “Applicant’s Exhibits”); and

WHEREAS, pursuant to notice published in a newspaper and posted as required by the applicable provisions of State law and as required by the applicable provisions of the WECS Ordinance, and Sections 5-12020 and 5-12009.5 of the Illinois Counties Code (55 ILCS 5/5-12020; 55 ILCS 5/5-12009.5), public hearings were conducted on August 11, 2020 and August 26, 2020, by the Board of Appeals of Morgan County at the Morgan County Courthouse, to consider the Applicant’s Application. Due to the COVID-19 pandemic, the public hearings were conducted live-format at the Courthouse and via a virtual platform using the Zoom App. Physical attendance by the public inside the Courthouse was limited per social distancing guidelines and public meeting restrictions authorized by the Illinois Governor Disaster Proclamation dated July 24, 2020 (Phase 4 Restore Illinois Plan), and Executive Order 2020-48 extending the Governor’s prior Executive Orders relating to the COVID-19 pandemic and his implementation of Phase 4 of the “Restore Illinois” Plan (Community Revitalization Order - COVID-19 E.O. No. 45). Members of the public were encouraged to participate in the public hearings by using the Zoom App. A link with the Meeting ID number and access code to join the meetings were posted to <https://morgancounty.com/meetings2020> prior to the hearing. Additional remote viewing areas to watch, listen to and participate in the public hearings via electronic means were provided inside the Jacksonville Municipal Chambers and in front of the Courthouse. Arrangements were made for public comments to be heard by individuals present in these remote viewing areas; and

WHEREAS, during the August 11, 2020 Public Hearing, the Board of Appeals reviewed and accepted into the record copies of the following documents, which are incorporated by reference into this Recommendation and are on file and available for public inspection at the Morgan County Clerk’s Office:

- a. Applicant's Application and its above-listed Exhibits (**Group Exhibit "A"**).
- b. Public Hearing Notice with a Publisher's Certificate dated July 14, 2020, prepared by David C. Bauer of the *Jacksonville Journal-Courier*, is attached as **Group Exhibit "B"** and made a part hereof.
- c. The following additional Project-related documents were submitted by the Applicant and accepted into the record during the Public Hearing (marked as **Group Exhibit "C"**):
 - i. Affidavit of Benjamin Evans (President of Evans Engineering Solutions, LLC; Senior Radio Frequency Engineer).
 - ii. PowerPoint entitled Lincoln Land Wind Project (125 pages) dated August 11, 2020 and prepared by the Applicant.
- d. The following documents were submitted by Morgan County and accepted into the record during the Public Hearing and were marked as **Group Exhibit "D"**:
 - i. Preliminary Application Review Letter (1 page) dated May 19, 2020 and prepared by James D. Douglas, Director and Planner of Morgan County RPC/GIS.
 - ii. Status Letter from Morgan County Highway Department (1 page) dated May 19, 2020 and prepared by Matthew K. Coultas, P.E., regarding Road Use Agreements between the Applicant and the Morgan County Highway Department and the Morgan County Road Districts 8, 9 and 13.
 - iii. ECOCAT Review Letter (#2102062) from the Illinois Department of Natural Resources (2 pages) dated August 6, 2020 and prepared by Nathan Grider, Manager – Impact Assessment Section of Office of Realty and Capital Planning, regarding update to ECOCAT Review Letter dated May 24, 2018 (#1808749) and IDNR recommendations for the Project.
 - iv. Siting Application Review with Project Recommendations dated August 2020 and prepared by Matt Minder of Patrick Engineering Inc., Noise Assessment Study and Report dated August 2020 and prepared by Al Hymans of Patrick Engineering Inc., and Decommissioning Plan Review dated August 2020 with Project Recommendations and prepared by Matt Minder of Patrick Engineering.
- e. The following documents were submitted by the Objectors and accepted into the record during the Public Hearing by Morgan County and were marked as **Group Exhibit "E"**:
 - i. Emails dated August 7, 2020 and August 11, 2020 from: Stephanie Bergschneider.
 - ii. Emails dated August 11, 2020 from: Donnie Herms; Harrison Chumley; Randy Twyford; Mike Chumley; Hunter Chumley; and Brian Chumley.
 - iii. Letter dated August 11, 2020 from: Betty Niemann.
- f. The following documents were submitted by Interested Parties (Supporters of the Project) and accepted into the record during the Public Hearing and were marked as **Group Exhibit "F"**:
 - i. Email dated August 11, 2020 from: John T Bellatti.
 - ii. Undated Letters from: Weldon Todd Becker; Elise Ransdell; Richard A. Walsh; Ryan (Last name illegible); Donna J. Fuller; S. Diane Myer; Frank Lukemar; John M. (Last name illegible); John H. (Last name illegible); Delbert Rake; Lola (Last name illegible); Robert (Last name illegible); Carl W. (Last name illegible); Bruce (Last name illegible); William R. Becker; Charles Powell; Thomas J. Beeissel; Terry (Last name illegible); James (Last name illegible); Mark Jackson; John A. Edrey; Christopher (Last name illegible); and Craig A. Wood.
 - iii. Email dated July 15, 2020 from: Kevin Klein.
 - iv. Email dated July 22, 2020 from: Robert Elmore.

- v. Email dated July 26, 2020 from: James Johnson.
- vi. Email dated July 27, 2020 from: Vicki Brown.
- vii. Email dated July 31, 2020 from: Roger Standley.
- viii. Email dated August 11, 2020 from: Adam Porter;
- ix. Letter from Lincoln Land Wind (2 pages) with 56 property owners, dated August 11, 2020;

; and

WHEREAS, during the August 11, 2020 Public Hearing, the Board of Appeals heard testimony from the following individuals, whose testimony is contained in the transcript of the Public Hearing, which was prepared by the court reporter and is incorporated herein by reference as **Group Exhibit "H"**:

- a. The Applicant and its consultants.
- b. Morgan County and its consultants (Dusty Douglas, Director of Morgan County Regional Planning Commission / Geographic Information System, and Michael T. Jurusik, of Klein, Thorpe and Jenkins, Ltd., special legal counsel for the County).
- c. Objectors who testified in opposition to the Application.
- d. Interested Parties who testified in favor of the Application.

; and

WHEREAS, after closing the Public Hearing on August 26, 2020, the Board of Appeals approved Recommendation No. 2020-01 relative to the Applicant's Application, and the Board of Appeals favorably recommended approval of the Application and issuance of a WECS Siting Approval Permit, subject to certain recommendations and conditions. As part of its specific findings set forth in Recommendation No. 2020-01, the Board of Appeals found that based on the Application and the other the materials submitted in support of and in opposition to the Project, that the Applicant has met the standards set forth in Section XII.C(3) (Siting Approval Permit Standards) of the WECS Ordinance. A copy of Recommendation No. 2020-01 is incorporated herein by reference as **Exhibit "I"** and made a part hereof; and

WHEREAS, at an open, **public meeting held on September 8, 2020**, the Morgan County Board of Commissioners considered the findings and recommendations made by the Board of Appeals in Recommendation No. 2020-01, and **APPROVED AND ADOPTED OR DECIDED TO NOT ACCEPT** the findings and recommendations of the Board of Appeals set forth in Recommendation No. 2020-01 (incorporated by reference into this Ordinance as **Exhibit "I"**), including the specific finding that based on the Application and the other the materials submitted in support of and in opposition to the Project, the Applicant has met the standards set forth in Section XII.C(3) (Siting Approval Permit Standards) of the WECS Ordinance, and incorporate such findings and recommendations by reference into this Ordinance as if they were fully set forth herein; and

WHEREAS, pursuant to the applicable provisions of the Illinois Counties Code (55 ILCS 5/), as amended, the Morgan County Board of Commissioners have the authority to enact this Ordinance and determine and find that it is in the best interests of Morgan County, its residents, businesses, property owners and the public to **APPROVE OR DENY** the Application and issuance of a WECS Siting Approval Permit, SUBJECT TO THE CONDITIONS CONTAINED in Section 3 below of this Ordinance.

BE IT ORDAINED BY THE CHAIRMAN AND BOARD OF COUNTY COMMISSIONERS OF MORGAN COUNTY, ILLINOIS, AS FOLLOWS:

SECTION 1: The Whereas paragraphs set forth above are material provisions of this Ordinance and are incorporated into this Section 1 by reference and made a part hereof.

SECTION 2: The Chairman and Morgan County Board of Commissioners of Morgan County, Illinois ***DENY THE APPLICATION OR GRANT THE FOLLOWING APPROVALS*** relative to the Application, SUBJECT TO THE CONDITIONS SET FORTH IN SECTION 3 BELOW:

- A. Approval of the Application and the issuance of the WECS Siting Approval Permit and one or more WECS Building Permits for the construction and operation of a 303.6 MW nameplate capacity wind energy conversion system (WECS), known as the Lincoln Land Wind Project, consisting of up to 107 wind turbines in substantial conformance with the Application and Applicant's Exhibits (**Group Exhibit "A"**).

SECTION 3: *The approval of the Application and the WECS Siting Approval Permit granted by this Ordinance in Section 2 above are subject to the following: [Section 3 and its conditions will be deleted if the Board denies the Application]*

1. The Applicant must complete and file the necessary County application(s) and pay all required permit fees and comply with all other County pre-filing requirements, as set forth in the WECS Ordinance and this WECS Siting Approval Permit Ordinance, to be entitled to receive one or more County-issued WECS Building Permits to construct the Project.
2. Turbines may be shifted up to 250 feet from each turbine location identified in the Application without resort to Section XII(C)(8) of the Ordinance, so long as the turbine shifts comply with all County and State setback requirements and specified noise and shadow flicker requirements; cultural resource impacts are avoided or mitigated; environmental minimization and avoidance measures are adhered to; and wetland impacts are avoided or appropriately permitted. The Applicant will notify the Regional Planner of these shifts and will identify final turbine locations in the application for a WECS Building Permit. Any turbine shift of more than 250 feet will require a modification analysis and opinion by the Regional Planner pursuant to Section XII(C)(8) of the WECS Ordinance.
3. Submission of certificates of design compliance to the Regional Planner, once it has been determined which turbine will be used in the Project.
4. Prior to the issuance of building permits for the towers, submission of a Professional Engineer (Licensed in the State of Illinois) tower design and foundation certification per Subsection VI.A.2. (Design and Installation; Design Safety Certification) of the WECS Ordinance.
5. The Applicant, at its cost, and subject to any applicable waivers, shall: (a) mitigate shadow flicker affecting any property owner(s) during the life of the Project per the strategies set forth in the Shadow Flicker Study; and (b) use commercially reasonable efforts to remedy and reduce shadow flicker affecting any property owner(s) who is not a participant in the WECS Project, where the property or properties receive more than thirty (30) hours of shadow flicker in a calendar year by promptly undertaking measures such as purchasing and installing trees and/or other vegetation plantings, screening or awnings on the affected property owner's property in a manner that remedies and reduces shadow flicker.
6. If the GE140, V150 or N149 turbines are selected, the Applicant will provide the County Regional Planner with sound and shadow flicker studies and new setback maps demonstrating compliance with the WECS Ordinance.

7. A collector substation shall be contained within a security fence per industry standards.
8. Rotor and overspeed control design statement and certification, once it has been determined which turbine will be used in the Project. A SCADA system will be installed and maintained along with other redundant safety and control mechanisms.
9. Receipt of FAA letters and compliance with lighting recommendations. The Applicant shall file an application for ADLS or other similar technology with the FAA to reduce light pollution and visual impacts caused by the turbines, and install and maintain such ADLS or similar technology per the FAA approvals.
10. Receipt of FAA Determination of No Hazard to Air Navigation letters.
11. Compliance with the AIMA as executed by the Illinois Department of Agriculture and the Applicant (post-WECS Building Permit issuance).
12. Project Plans that have been updated to reflect warning signs placed at tower access roads (all points of site ingress and egress).
13. Submission of a survey demonstrating compliance with setback requirements.
14. Receipt of the IEPA General Storm Water Permit.
15. The Applicant shall engage with the Illinois SHPO regarding the archaeological and architectural studies currently underway in the Project area. The Applicant will share the results of these studies and any Applicant-proposed mitigation measures, if appropriate, with the SHPO for review, and seek the Agency's comments on the findings. The Applicant will work in good faith to address the comments of the SHPO on such studies and mitigation measures.
16. The Applicant will comply with the following recommendations as set forth by the Illinois Department of Natural Resources to avoid and/or minimize impacts to State-listed wildlife:
 - a. Adjust turbine operations as agreed upon with USFWS and IDNR from July 15 to October 15 each year to avoid or minimize risk to federally-listed and State-listed endangered, threatened and non-listed bats.
 - b. Develop post-construction monitoring surveys in coordination with IDNR and USFWS consisting of three (3) years of mortality monitoring to statistically quantify bird and bat mortality, by species, due to wind turbine operations. Post-construction monitoring results will be evaluated in coordination with the USFWS and IDNR, and Lincoln Land Wind will work with USFWS and IDNR to determine appropriate additional measures should impacts exceed anticipated levels.
 - c. Avoid breeding season disturbance to suitable nesting habitat for certain birds (i.e., State-endangered upland sandpiper and State-threatened black-billed cuckoo) during the construction phase of the Project.
 - d. If the mortality monitoring shows mortality of birds and bats and/or additional species are added to the endangered, threatened lists during the operation of the Project, after consultation with the County and IDNR, the Applicant will employ deterrent technology, as such technology becomes commercially available.
17. The Applicant will obtain a National Pollutant Discharge Elimination System ("NPDES") Permit from the IEPA Division of Water Pollution Control for construction activities prior to the initiation of Project construction.
18. Before the commencement of construction on the Project, the Applicant will file a notice of intent and accompanying SWPPP for a general permit to discharge relating to storm water discharges during Project construction.
19. Compliance with the requirements of IDNR Statewide Permit No. 6 or submission of Project-specific permit related thereto, if required.
20. Compliance with the requirements of USACE Nationwide Permit 12, if required.
21. The Applicant will comply with USDA rules regarding CRP land.

22. Submission of a wire crossing agreement executed by The Kansas City Southern Railway Company for use of its right-of-way to install underground collection cables for the Project. If the agreement is not executed by the Railroad Company, the Applicant will remove from consideration six (6) turbine locations (i.e., turbines C-22, C-24, C-25, C-26, C-27 and C-28) as indicated in the Application.
23. Prior to the issuance of any WECS Building Permits, submission of signed and recorded copies of all Road Use Agreements that have been reviewed and approved by the County Engineer and the County Attorney or special counsel for the County.
24. Prior to the issuance of any WECS Building Permits, receipt of Township Road Commissioner and County Engineer approval of roadway plans for all affected roadways, along with appropriate easements from property owners where the roadway improvements will occur outside of the existing public right-of-way.
25. Prior to the issuance of any WECS Building Permits, Morgan County Board approval of required "Financial Security" and "Decommissioning Security" as defined in the WECS Ordinance for the Project (including road use agreement obligations) and for decommissioning of the Project in a form, content and dollar amounts that are acceptable to the County Board (i.e., three (3) types of security are provided for per the WECS Ordinance: a surety bond (performance and payment bond), an irrevocable letter of credit or a cash escrow account), after further input by the County Engineer and/or the County Attorney or special counsel for the County relative to the dollar amount, content and form of the Financial Security and Decommissioning Security documents and as described and calculated in accordance with Section X (Decommissioning and Site Reclamation Plan Required) of the WECS Ordinance. The draft bond that was supplied as a part of the Financial Assurance submittal, marked as Appendix 18 of the Application, is a template bond document and the terms of the template bond have not been finalized or agreed to by the Parties.
26. Post construction, a noise study shall be conducted for all primary structures within one (1) year after commercial operation to verify that noise levels are in compliance with noise standards and, if noise levels exceed standards, the Applicant shall provide mitigation at the primary structure to provide compliance. During the life of the Project, the Applicant shall comply with all applicable IPCB's noise regulations and take all necessary actions to ensure that all components of the Project (e.g., substation and turbines) comply with such regulations.
27. Receipt of County Engineer approval of Drainage Tile and Repair Plan.
28. At the conclusion of the construction of the Project, submission of installation certifications that the Project has been constructed in accordance with the plans and specifications and the WECS Siting Approval Permit.
29. The Applicant agrees to take all commercially reasonable steps to respond to a written complaint related to interference caused by the Project as is required by the WECS Ordinance, including correcting any interference related to TV, Radio or Internet, and service levels shall be brought to a level of service as experienced prior to construction of the Project. The Applicant will also take immediate actions to mitigate or minimize interference with communications such as radio, telephone, microwaves or television signals, and to eliminate any such interference that impacts local government public safety (police, fire, emergency medical services, emergency management services, 911 dispatch) communications, caused by the operation of the Project as required in the WECS Ordinance.
30. Receipt of local emergency service provider review and approval, which review and approval

- will not be unreasonably delayed, with proposed mitigation measures (if required) demonstrating no interference with emergency services.
31. Submission of Final Emergency Action Plan that includes local fire departments' review, input and acceptance of the Emergency Action Plan, which review and approval will not be unreasonably delayed.
 32. The Applicant will provide, at its expense, annual training and necessary equipment to local emergency responders so they can properly respond to a potential emergency at the Project. The Applicant will also cooperate with local emergency responders to develop an emergency response plan that includes 24-hour contact information for the Project and at least three (3) of its representatives.
 33. Provision of required liability insurance.
 34. Morgan County Board approval of the final Decommissioning Plan (the draft Plan was submitted as part of Appendix 7 of the Application), after updates to the Plan are made, to address further input from the County Engineer and/or the County's consulting engineering firm and the County Attorney and/or special counsel for the County relative to the dollar amount, content and form of the Decommissioning Plan and Decommissioning Security document based on the Applicant's final Project plan submittals, including turbine model / design selection and final turbine location plan. The draft bond that was supplied as a part of the Financial Assurance submittal, marked as Appendix 18 of the Application, is a template bond document and the terms of the template bond have not been finalized or agreed to by the Parties.
 35. Construction activity shall be limited to the hours from sunrise to sunset, with the exception of the construction of the towers (pouring concrete foundations and placing of the nacelle and blades on the towers).
 36. Post-construction mitigation shall be provided where there has been found to be interference issues with reception, including GPS as related to precision agricultural purposes.
 37. If building permits for the towers have not been issued within five (5) years of the date of WECS Siting Approval Permit approval, the approval shall expire and a new WECS Siting Approval Permit application will be required.
 38. The Applicant shall repair any existing waterways, important for farm drainage and soil erosion control, that might be damaged during the construction or maintenance of the Project and avoid adversely affecting compliance with existing State and Federal contracts that might apply to those waterways.
 39. The Applicant will submit an operation and maintenance report on an annual basis to the County's Regional Planner. The initial operation and maintenance report shall be delivered to the County's Regional Planner within sixty (60) calendar days of the one-year anniversary date of the commencement of operation of the Project. Subsequent annual reports shall be delivered on the same schedule.
 40. The Applicant shall prepare and submit an Infectious Disease / COVID-19 Pandemic Response-Action Plan for approval by the Morgan County Department of Health Code Officer, which approval will not be unreasonably delayed, that requires compliance with then-current protocols, guidelines and recommendations issued by the pertinent Federal, State and County health and worker safety governmental oversight agencies, such as the Illinois Department of Public Health, the Illinois Department of Labor (Illinois OSHA), the federal Occupational and Safety Health Administration, the Centers for Disease Control and the National Institute of Health.

41. The Applicant shall comply with the applicable provisions of Federal, State and County laws and regulations, including the WECS Ordinance and the WECS Siting Approval Permit Ordinance and its conditions relative to the construction, operation, replacement, repair, restoration, maintenance and decommissioning of the Project.

SECTION 4: The sections, terms, provisions and conditions of this WECS Siting Approval Permit Ordinance shall be severable, and if any section, term, provision or condition is found to be invalid or unenforceable for any reason by a court of competent, final jurisdiction, the remaining sections, terms, provisions and conditions shall remain in full force and effect.

SECTION 5: Any Ordinance, or portion thereof, in conflict with this WECS Siting Approval Permit Ordinance is repealed to the extent of such conflict. The terms, provisions and conditions set forth in this WECS Siting Approval Permit Ordinance, including those incorporated herein by reference, are covenants that run with the land and shall be released or amended only upon the written consent of the Board of Commissioners.

SECTION 6: This WECS Siting Approval Permit Ordinance shall be in full force and effect from and after its adoption and approval as provided by law.

SECTION 7: A certified copy of this WECS Siting Approval Permit Ordinance shall be recorded against title to the Property with the Morgan County Recorder of Deeds Office, by the County Regional Planner, at the Applicant’s cost. The County shall provide the Applicant with stamped copies of this Ordinance after it is recorded.

SECTION 8: This WECS Siting Approval Permit Ordinance is an ordinance necessary for the health and safety of the people of Morgan County, Illinois, and shall be in full force and effect from and after its passage, approval and publication as provided by State law.

Passed this ___ day of _____, 2020

___ Aye / Nay ___

Bradley A. Zeller, Chairman/Commissioner

___ Aye / Nay ___

Bill Meier, Commissioner

___ Aye / Nay ___

Ginny Fanning, Commissioner

Certification: _____
Jill S. Waggener, County Clerk

Date: _____, 2020

Group Exhibit "A"

**Application dated February 18, 2020,
with Applicant's Exhibits as described above in this Ordinance**
(on file with the County and incorporated by reference and made a part hereof)

Group Exhibit "B"

**Public Hearing Notice with Newspaper Publisher's Certificate
as described above in this Ordinance**
(on file with the County and incorporated by reference and made a part hereof)

Group Exhibit "C"

**Additional Applicant Documents
as described above in this Ordinance**
(on file with the County and incorporated by reference and made a part hereof)

Group Exhibit "D"

**Morgan County Exhibits
as described above in this Ordinance**
(on file with the County and incorporated by reference and made a part hereof)

Group Exhibit "E"

**Documents submitted by the Objectors
as described above in this Ordinance**
(on file with the County and incorporated by reference and made a part hereof)

Group Exhibit "F"

**Documents submitted by the Interested Parties
as described above in this Ordinance**
(on file with the County and incorporated by reference and made a part hereof)

Group Exhibit "G"

**Morgan County's Wind Energy Conversion Systems
Siting Regulations Ordinance, Ordinance No. 2019-10-A**
(on file with the County and incorporated by reference and made a part hereof)

Group Exhibit "H"

**Transcript of the Public Hearing Proceedings
conducted on August 11, 2020 as transcribed by Court Reporter Ann Marie Hollo, CSR,
of NAEGELI Deposition and Trial, with the Exhibits introduced into the Public Hearing Record**
(on file with the County and incorporated by reference and made a part hereof)

Exhibit "I"

Morgan County Board of Appeals Recommendation No. 2020-01
(on file with the County and incorporated by reference and made a part hereof)

