**VILLAGE OF LEE, ILLINOIS**

**REGULAR BOARD MEETING MINUTES  
Wednesday, November 8, 2023 at 7:00 p.m.**

**Lee Fire Station, 103 Lee Road, Lee, Illinois**

1.CALL TO ORDER/ROLL CALL

President Voitik opened the meeting at 7:00 p.m.

**Roll Call**

V. President Therese Voitik – present Treasurer Katherine Felker – present

Trustee Jessica Galbreath – present V. Clerk Dawn Woodbury - present

Trustee Stacey Schnupp – present

Trustee Margie Foshe- present Others in Attendance:

Trustee Dawn Kimpflin – present Mike Woodbury-Public Works

Trustee Jessica Moser – absent V. Attorney Russell Crull

Trustee Jean Michels- absent

2.VILLAGE PRESIDENT WELCOME/COMMUNICATION

3. VISITORS/COMMUNICATION/PUBLIC COMMENT

Will Hantzmon stated the village would like everyone’s house painted and their lawn kept up, but E. Kirk Gate is full of potholes and the weeds have not been cut in years. If the village offers any consideration with the solar panels, he hopes the village does not make the same mistake that they did with the windmills.

Michelle Fossett had a question regarding the surcharge on the water bill. The village should know what the surcharge is for and should be able to tell the community what it is for. Ms. Fossett also has a concern about of ordinance violations. She does not see it anywhere in the notes that B & F was hired by the village. Would like more information. Is unsure about the solar panels and would love to hear more about the considerations. Had a concern that all trustees have taking the Open Meetings act training.

Nitza Gleason has questions about solar panel farms. Ms. Gleason has not seen anything indicating any meeting minutes on Lee County’s zoning website regarding Phase 2. Is this a done deal? Does the village have the right or the ability to vote or make recommendations on Phase 2? After 35 years, how are these solar panels disposed of? If Phase 2 goes through, what happens to any subsidies or grants that you obtain from the village? If Phase 2 goes through, will there be a Phase 3, 4? When does it stop? Are there any future plans? What happens if an LLC is no longer in business and goes bankrupt, who is responsible?

Jerry Olson presented the board with a Petition of 92 signatures against the water tower.

4. NEW BUSINESS

a. Reports of Village Employees/Officers

* Curtis Cook – Village Engineer

Village Engineering Fees

Project Summary Report

Engineer Cook was absent from the meeting

* Michael Woodbury – Public Works

Mr. Woodbury mentioned that the $18 surcharge was to pay back a loan. We are still charging it to be used for any possible water main breaks and/or future water improvements.

* Dawn Woodbury – Village Clerk
* Katherine Felker – Village Treasurer

There is still some money left in the Leading Lee Forward fund and we should work to get that money off our books. This will be added to the next agenda. It was mentioned that it should be publicly informed to the residents of how much money is in each fund. The amounts are in the annual treasurer’s report but can be mentioned at the meetings.

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b. Vote on Mike McGinnis variance with conditions regarding Conex shipping container

Mr. McGinnis has a 40 ft x 8 ft Conex shipping container. He would be allowed a variance from the ordinance to keep the container. Conditions would be: Install a window or man door, some means of egress, maintain the fenced yard, not connect utilities to it, complete it, complete with paint and decorations following the normal code. It would only be for this landowner. He would provide landscaping, pay all attorney’s fees, remove a 2nd accessory shed that he already has on his property. The condition is that Mr. McGinnis completes all required conditions by May 1, 2024. Trustee Foshe made a Motion to approve Michael McGinnis for a variance on his Conex shipping container with conditions. Trustee Kimpflin Seconded the Motion.

Kimpflin, Galbreath, Schnupp, Foshe-yes

c. Jerry Foster update

Have a total of 10 individuals who have agreed to be on the economic steering committee. The first official meeting is Wednesday, 12/6 at 7:00 pm. At that time, we will be conducting a SWOT analysis. We will be reaching out to additional community members and inviting them to participate in the SWOT analysis, including stakeholders from the local townships and school district. We welcome all Lee residents to join us on 12/6.

d. Discuss and possible vote on grace period for late charges on water bill (Jean)

Table as Trustee Jean Michels is absent.

e. Discussion and possible vote to adopt Hexagon Energy Phase 2 Solar Farm resolution.

Will from Hexagon Energy introduced himself. Will is the lead developer for the Steward Creek Solar Project. Hexagon Energy went through a full public hearing process, this was during the pandemic and protocols were in place as the meetings were all held through Zoom. People were allowed to call in remotely to attend those hearings, answer and ask any questions. There were zero closed door meetings during which no votes were made on the project. This will not be solar forever; it is solar for a period of time until we remove the facility. We would have native grass seed mix planted beneath the panels, which would make it a bustling habitat for pollinator species and other ecological life to improve not just the area beneath the panels, but also adjacent properties that are not participating in the project. There have been no public hearings for Phase 2 yet. Phase 1 and Phase 2 together are going to generate $174 million in local tax revenue over the life of the project. That will be divided amongst the county school districts, fire districts, roads, Kishwaukee Community College, and a few other taxing bodies. Hexagon will start making voluntary payments once we finalize the agreements with the Village of Lee and the Village of Steward for $25,000 a year during the development phase. All payments are made before construction. Once construction is finalized, payments will increase to $110,000 total. Panels will be set back 200 feet from property lines along County Line Road that will give some area for future development. Shielded and downcast lighting for a certified dark sky will also be used. Right now, there is no buyer for power. Hexagon Energy has signed the Illinois Agricultural Impact Mitigation Agreement for both Phase 1 and Phase 2 of the project. Hexagon Energy is required to post financial security for the full decommissioning of the project, removal of the panels and restoration of the ground. Per Hexagon Energy’s attorney Courtney Kennedy, payments can be made directly to the village vs. depositing it into a 501c3. Hexagon Energy is willing to go up to $30,000 for our annual payments. If the project dies, those payments will dry out because nothing is going to happen. If the project does not die, those payments will come until construction begins. Once construction begins, Phase 1 payments will begin and then the Phase 2 payment as they are built, that will be at the $110,000 amount. Once we are generating energy for the first 600 megawatts, that is when the first $25,000 starts. Then once we are generating electricity for anything over 600 megawatts, then the full $110,00 starts. It will take 20-24 months to construct the entire project with the hope of building both phases together. It is possible there could be a 24-month gap between the two phases of them being turned on. $30,000 annual payments would continue during that time period. That $30,000 payment is not flat across the whole period, it increases at 2% each year. The $110,000 increases also by 2%. The $30,000 annual payments would start once we have signed commitment. This is not money the village will have to pay back if the project dies. It was asked if Hexagon Energy is willing to do a 500-foot setback on County Line Road to use for economic development, Hexagon agreed to the 500 feet setback. There will be local maintenance crews working on this project as we need someone close to site.

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A fire protection district plan will also be submitted and reviewed. A delivery plan for the solar panels and inverters will be approved as part of the building permit with Lee. The farmer/homeowner will receive certain payments annually based on site acreage and would be a contractual agreement. We would need a motion today to accept the resolution with the addition of a 500-foot setback on County Line Road.

A separate economic development agreement would then be made to add the $110,000 payment and why it could end as well. If there were to be any kind of an environmental accident, Hexagon Energy would be responsible. State, federal as well as local law, requires Hexagon to adhere to all environmental accidents.

Trustee Galbreath made a Motion to adopt a resolution that would authorize and approve Steward Creek Solar project within the 1.5-mile radius surrounding the Village of Lee, Lee County, Illinois with added provisions of a 500-foot setback along the entirety of County Line Road, along with dark sky certified compliant lights. Trustee Kimpflin Seconded the Motion.

Kimplin, Schnupp, Galbreath-yes Foshe-no

f. Vince/Nick from B & F discussion and vote if needed.

Table for the December board meeting.

g. 6-month revisit- committee appointments and re-appointments if appropriate

Table for next meeting

h. Vote on 2023 Tax Levy

Trustee Kimpflin Made a Motion to approve the 2023 Tax Levy. Trustee Galbreath Seconded the Motion.

Kimpflin, Galbreath, Schnupp, Foshe-yes

i. Discuss and vote stipend for Village Clerk- extra hours worked for IEPA meeting/minutes.

Trustee Foshe Made a Motion to approve an extra stipend for extra hours the clerk spent on agenda/minutes for extra hearings. Trustee Foshe made a Motion to approve the extra stipend. Trustee Galbreath seconded the motion.

Foshe, Schnupp, Galbreath, Kimpflin-yes

5. OLD BUSINESS

1. Lee Volunteer Fire Department Chief Jason Aters

* Vote and discussion on key to wellhouse

The wellhouse needs to be more secure. We really could not change locks/keys until all the shrink wrap has been taken out. The fire department should have a key in case of an emergency. The agreement is to get the locks changed and we will keep working on throwing out the plastic. Trustee Schnupp Made a Motion to change locks in wellhouse within the next 2 weeks. Trustee Kimpflin Seconded the Motion.

Kimpflin, Galbreath, Schnupp, Foshe-yes

* Follow up on resolution for inter-governmental agreement.

It was decided not to have a lawyer involved in drawing up an agreement. This agreement would give the Village full use of the firehouse meeting room and other areas that are permitted for village and social functions. In return, the Village of Lee will provide the volunteer fire department with all needed training water, firefighting water and winter snowplowing. Lee Volunteer Fire Department will provide and pay for all inside normal water usage. Signed on 11/8/2023. Non-binding contract, no vote needed.

* Discuss funding options and possible vote-emergency access road.

Trustee Foshe to meet with Mike Woodbury and Fire Chief Aters and report at the December board meeting.

1. Discuss and possible vote on 3 priority codes with revisions for attorney.

President Voitik would like all the board members to be present when deciding on changing codes. Attorney Crull suggested we outline the codes we want to consider changing and just go through them in order and list them on the agenda. So, if there is any public comment any citizen is allowed to make comment. There are certain codes that will need to be looked at first. This will be reviewed at next month’s board meeting.

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1. Discuss Suggested code revisions (Margie/Jessica M.)

Discuss at next month’s meeting.

1. Grant updates-lead lines (Stacey)

Trustee Schnupp has been researching and has been connecting with community members that do grants for a living. She has looked at some of the water grants, but privately for small families.

6. REVIEW AND CORRECTION/APPROVAL OF MINUTES OF PRECEDING MEETING

a. Approval of minutes from October 11, 2023 Regular Board Meeting

Trustee Galbreath made a motion to approve the minutes from the 10/11/2023 board meeting. Trustee Kimpflin seconded the motion.

Kimpflin, Galbreath-yes Foshe, Schnupp-no

Village President Voitik for the tie- yes

7. TREASURER'S REPORT

a. Discussion and possible approval of Treasurer’s Report

Treasurer Felker went over the treasurer’s report verbally with all at the meeting.

Trustee Schnupp made a motion to approve the Treasurer’s Report for 11/8/2023. Trustee Galbreath second the motion.

Galbreath, Kimpflin, Schnupp, Foshe-yes

8. APPROVAL OF BILLS

a. Discussion and possible approval of bills payable

Trustee Galbreath made a motion to approve the 11/8/2023 bills payable. Trustee Schnupp seconded the motion.

Kimpflin, Galbreath, Schnupp, Foshe-yes

9. COMMITTEE REPORTS

a. Streets and Alleys/Public Safety

Trustee Foshe to call Jason Aters and is going to meet to look at the property for possible access road

1. Water and Refuse

Trustee Kimpflin is researching grants and will look at the lead. Would like to have a discussion on how we are going to utilize the funding.

1. Finance and Ordinances/Zoning

Trustee Galbreath has not heard or seen anything regarding finance or finances. B & F should be at the December board meeting.

10. ADJOURNMENT

Trustee Kimpflin made a motion to adjourn the meeting. Trustee Galbreath seconded the motion.

Motion passed on the unanimous voice vote of those present at 9:16 p.m.

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