

MINUTES
FULTON COUNTY BOARD
REGULAR SESSION
August 9, 2022

Chairman Roger P. Clark called the Regular Session, August 9, 2022, meeting to order at 6:34 p.m. in Courtroom 201 at the Fulton County Courthouse in Lewistown, IL.

County Clerk Patrick J. O'Brian called the roll and found the following members present: Quorum was present. (Present-P; Absent-A)

Cindy Arnett – P	Vicki S. Hoke – A	Brian Platt – P
Barry Beck – P	Donna Hudson – P	John Spangler – P
Stan Berry – P	Laura Hepp Kessel – A	John E. Taylor – A
Steve Bohler – P	Dan Kumer – P	Lisa Thompson – P
Roger Clark – P	Nestor Madson – P	Karl Williams – P
Mary Deushane – P	BJ McCullum – P	Heidi Wilner – A
Susan Duquette – P	Craig Medus – P	

Elected/Appointed Officials Staci Mayall- Treasurer, Patrick O'Brian - County Clerk, Julie Russell – Supervisor of Assessment, Charlene Markley – Circuit Clerk, Justin Jochums – States Attorney, Jeff Standard – Sheriff –by Phone, Chris Helle – ESDA/ETSB Director, Keith Munter – Fulton County engineer, Tammie Denning – Clayberg Nursing Home Administrator – by phone

Staff - Cindy Simpson – Fulton County Administrative Assistant, Audra Miles - Comptroller

Guests – Alec Messina – HepplerBroom LLC, Steve Leeds – Navigator Heartland Greenway Pipeline, Cole McDaniel - SRPED

Media- John Froehling – Fulton Democrat

ACCEPTANCE OF MINUTES

A. Regular Session – July 12, 2022

Member McCullum moved to accept the minutes and place on file the regular session July 12, 2022 minutes with a second from Member Berry. Motion carried by roll call vote (16-0).

ADDITIONS/DELETIONS TO AGENDA

Member Bohler pulled from action agenda Community Development #1.

Chairman Clark added to Announcements D. Cole McDaniel- SRPED Solar update.

Member McCullum moved to approve the amended agenda with a second from Member Duquette. Motion carried by roll call vote (16-0).

ANNOUNCEMENTS, COMMUNICATIONS AND CORRESPONDENCE

- A. Comcast Quarterly Franchise Fee
- B. UCCI Membership Attendance Reimbursement
- C. Cass Putman Rescue Fundraiser flyer
- D. Cole McDaniel – Spoon River Partnership for Economic Development Director – Solar update

Cole McDaniel discussed the Buckheart Solar project that has been proposed around the Canton Duck Creek Plant. The solar project is projected to be approximately 820 Megawatts and will generate enough energy to power about 150,000 homes. The project will use approximately use 8,000 acres of privately owned land.

The solar project capital investment is estimated at around \$800 million. The timeframe for completion is approximately 2 to 3 years. This project will help contribute to Fulton County's tax base. The solar project is leasing property for 30-years and is expected to be operational in 2025.

The local representative is Blake Murphy and he is located in Canton, Illinois. This is a completely separate project from the project Vistra is doing. Cole McDaniel stated currently, 80% of the leases have been obtained and with this solar projects, more electricity will be produced than Duck Creek and the Havana power plant combined produced.

McDaniel discussed Spoon River College is working on a work force development program for solar. Julie Russell, Supervisor of Assessment discussed after the Buckheart Solar files the solar lease in land records office, the Assessment office will implement the GIS mapping for the following tax year. Russell stated most of the leases obtained are on farm ground and the farm ground would no longer receive the preferential assessment. The farmer that is leasing the property will receive an exemption for the solar leased property. Most of the property that is being leased is owned by Springfield Coal. The energy company that is developing the Buckheart solar project is Durrell Energy Company Inc.

Member Thompson inquired about the name of the project being Buckheart Solar alludes that eludes the project will be in Buckheart township. McDaniel stated the name is to make the project more locally recognized.

Cole McDaniel will present the SRPED quarterly report in September at the Fulton County Board meeting.

PROCLAMATIONS:

A. Discussion/Action: Resolution: Fulton County Disaster Proclamation

Member Thompson moved to approve the resolution with a second from Member Hudson. Motion carried by roll call vote (16-0).

B. Discussion/Action: Resolution: Ella Renick – Recognition Project for Clayberg

Member Duquenne moved to approve the resolution with a second from Member Arnett. Motion carried by roll call vote (16-0).

C. Discussion/Action: Resolution: Gena O'Leary – Retirement

Member Kumer moved to approve the resolution with a second from Member Berry. Motion carried by roll call vote (16-0).

PUBLIC REMARKS:

Name: Joyce Blumenshine

Address: Peoria, IL

Topic: Co2 pipeline

Joyce Blumenshine discussed the reasons why Fulton County might want to support the Co2 pipeline.

The number one reason to support the Navigator pipeline is if the pipeline leaks and a person's home is within 100 feet, you will die, due to the gas being odorless.

The gases will cause your car not to operate properly and a person will die. The gas will cause seizures, vomiting, foaming at the mouth and possible lung damage.

Another reason to support the Navigator pipeline is Navigator will make a one-time payment to property owners, farmers or home owners for easements. Navigator will receive the profits every year for decades from this pipeline. Another reason to support the Navigator pipeline is when Navigator is digging the pipeline this displaces the farmers top soils but, the farmer will receive only three years of compensation for damages. The payments are reduced each year for a total of three years. There are additional liabilities and concerns like holes that will be drilled in roads and some pipelines will be run under roads. There is subsidence from digging are lateral or vertical ground movement that could cause damages to residences or nearby buildings.

The pipeline will move highly pressurize gas and the gas will be put deep into the ground. The people that live near the pipeline are residents and farms in these areas and are neighbors and friends.

Name: Cindy Arnett
Address: Lewistown, IL
Topic: Co2

Cindy Arnett stated she does not support the pipeline as this is being forced on Fulton County. Arnett stated it is the Fulton County Board as a body that will make this decision. This is the same group that came to the Fulton County Board asking for help with the hog confinement less than 6 months ago. Fulton County needs to think about who owns the ground that the pipeline is affecting. It is the citizens of Fulton County that are looking for help and who elected the Fulton County Board Members. Arnett does not support the pipeline due to how the companies come through the county. Arnett was approached regarding a wind farm and this group will most likely be back to voice their concerns and are asking for help. At what point does the Fulton County Board stand up and say we are here for the citizens of Fulton County. Arnett stated the Fulton County Board is here for the cooperation, not to run over the top of citizens who elected them to the Fulton County Board.

Name: April Tatum
Address:
Topic: Co2

April Tatum is a fourth generation land owner and is present tonight to express concerns regarding the Navigator Co2 pipeline. April pointed out there are additional land owners from the area that are present at tonight's meeting. If this pipeline is approved the pipeline would transport over 15 million tons of Co2 affecting 50 different families owning homes and property in the Northwestern corner of Fulton County. April stated in Yazoo, Mississippi, a rupture occurred and a plume of Co2 drifted more than a mile towards the town of Satartia, Mississippi, and caused the evacuation of nearly 200 residents and hospitalized approximately 50 persons. Cars would not operate because Co2 displaced the oxygen in the air and oxygen is required to operate a combustible engine. First responders found it difficult to rescue people because the vehicle sputtered and stopped. Navigator claimed safety concerns are exerted, but a few months ago the Pipeline and Hazardous Materials Safety Administration, this is the agency responsible for insuring pipelines, announced they are taking enforcement action against the pipelines for failures in Yazoo County Mississippi. The Pipeline and Hazardous Materials Safety Administration announced that pipelines need more safety measures and improved oversight. PHSMA (Pipeline and Hazardous Materials Safety Administration) has initiating a rule for this purpose, but this ruling could take years to accomplish. Currently, Navigator has filed the application with the ICC and the ICC could approve the application for the pipeline to run through 13 counties in Illinois and this includes

Fulton County. This could occur in as little as 11 months. The Fulton County Board cannot stop this project alone but, the Fulton County Board can regulate the process and establish protections for residents. The Fulton County Board can influence the ICC by expressing its concern over Navigator's pipeline and what affects public safety, roads, and imposes unwanted costs and reduces property values in Fulton County. April requested time at the next Fulton County Board meeting to present information and answer questions so everyone is fully informed about the pipeline. April asked the Fulton County Board to take the following actions;

Have an emergency plan, adopt zoning for Co2 pipelines that establish setbacks of one mile or more, unless Navigator can prove that the distances that are being proposed where people live, work and worship are sufficient to protect the residents of Fulton County. Zoning can address the impacts to farmland that result from pipeline construction and reduce crop yield and sever drainage tiles. Update public utility applications to include Co2 pipelines and incorporate safety measures and required monitoring. Work with the States Attorney to file objections on behalf of any person or persons that have objections. Find a way to have Navigator pay for the costs to Fulton County that will result in this project.

April stated the residents did not ask for this Co2 pipeline. April stated Navigator's projects have few benefits and many costs. This is being funded through tax payers with huge tax credits and is solely for private monetary gain. Those residents that have the pipeline on their property will pay for the pipeline twice, once for the land and twice in taxes. This will go on years and years and will affect the children of the next generation. April asked the Fulton County Board to protect the citizens from Navigator's project which could cause great harm in Fulton County and place lives at risk. April stated Navigator is listed on the Fulton County Board agenda under action and asked the Fulton County Board to give the residents of Fulton County a chance to voice their concerns regarding the construction of this pipeline.

CONSENT AGENDA

Member Bohler moved to approve the consent agenda with a second from Member Beck. Motion carried by roll call vote (16-0).

A. CLAIMS

Claims- Sheriff, Jail, Board of Review, Zoning, County Board, Miscellaneous, Public Defender, Property, Supervisor of Assessments, ESDA, Animal Control, Highway, VAC, Clayberg, Camping & Recreation, Spay/Neuter Program, Fulton County Public Transportation, ARPA

B. REPORTS

Reports- Animal Control, Treasurer, FCCRA POS Report, VAC, Zoning
Other Reports- Public Defender, State's Attorney/Circuit Clerk, Sheriff, County Clerk

C. APPOINTMENTS

a. **Resolution:** Randy Smith – Commissioner – Thompson Drainage & Levee District

D. PROPERTY & COURTS

8. FINANCE/INSURANCE

a. General Fund Transfer

i. **Resolution:** \$58,000.00 Immediate Emergency Appropriation from Unappropriated Funds in the General Fund to Sheriff line item #001-008-560300 Fuel

b. Other Funds Transfers

c. General Fund Immediate Emergency Appropriations

d. Other Fund Immediate Emergency Appropriations

- i. **Resolution:** \$15,000.00 Immediate Emergency Appropriation from Unappropriated Funds in the Courthouse Security Fund to line item #031-089-550100 Equipment
- e. **Resolution:** Health Insurance Broker 2022- 2025
- f. Trustee Parcels

**PUBLIC SAFETY & CAMPGROUND
COUNTY HIGHWAY
COMMUNITY DEVELOPMENT**

- a. **Resolution:** Variance, Conditional use, Special Home Occupation and Antenna or Replacement Equipment

**EXECUTIVE
HEALTH
MISC.**

ACTION AGENDA

Misc.

1. Alec Messina – Co2 Heartland Greenland presentation

Chairman Clark discussed this is on the agenda to give Navigator Heartland Greenland the opportunity to give a presentation about the Co2 pipeline no action will be taken.

Alec Messina stated he is willing to return to talk with the Fulton County Board as much or as little as needed regarding the process, concerns and timing of the project. Today Navigator met with the emergency managers from district 6 by Quincy. An emergency plan is being worked on and collaborated on, highway engineers are being consulted about road access. Meetings are being conducted at the local Farm Bureaus to address any questions and concerns communities may have.

Steve Leeds VP of Engineering for Navigator Heartland Greenland Pipeline, discussed Co2 and pipeline issues. Steve discussed Co2 is new to the Midwest as a lot of the existing pipeline is natural gas. Co2 pipelines have been around for decades and was started in 1986. One of the oldest pipelines is the Cortez pipeline and has operated for 3 decades safely. As Navigator is building this infrastructure, it is providing training. Steve stated Co2 is odorless, non-flammable gas that is heavier than air. The Co2 infrastructure that is being looked at in Illinois has tremendous geology when it comes to the Mount Simon formation. It is a basal sandstone of the Potsdam Sandstone. This is the main reason Navigator is looking to put the sequestration in Christian County. The geology can support the sequestration. Why a pipeline is needed is due to some of the Ethanol and fertilizer plants and the safest mode of transportation is via pipeline. The reliability of using a pipeline is 99.9997%. The second aspect of Co2 is a gas phase and when pressure is increased, Co2 becomes a liquid. The smaller the pipe, the lesser the impact to the overall community.

Co2 is regulated and currently there are 55,000 miles of pipeline in the United States. The pipelines were regulated in 1968 and congress added liquid pipelines to the statute in 1979 and the same regulation apply. With Co2, the setback is about 400 feet. This is determined by occupancy of schools, residents and nursing homes. Currently in Fulton County, Navigator has 16 miles of 6-inch diameter pipe. When the footprint is looked at the concentration and pressure is used to keep the Co2 at a liquid phase. Things that are being looked at to improve the pipeline safety are an odorant to differentiate between Co2 and natural gas. Smells such as pine needles or garlic may be used. The biggest risk to pipelines is third party damage. To help prevent this, the pipeline would be buried deep in the ground and prevention tape would be used above the actual pipeline.

Member Duquenne asked if Navigator feels community awareness and emergency management needs to be addressed, and what responsibility does Navigator have to go into the community to educate the people what to do and what to look for.

Steve stated Heartland Greenland bears 100% of the responsibility. The first thing Navigator is doing is providing EMS training to all emergency response personnel and volunteers. The initial plan is the evacuate and isolate the situation. Another thing Navigator is working with EMS on is NAV911, which is an automatic alert that is sent out to proactively help communicate of a problem.

Member Duquenne inquired how is Co2 removed when a leak occurs. Steve stated the Co2 naturally disperses in the air. Members Berry inquired what does the Co2 do to the atmosphere. Steve discussed this could be considered a greenhouse gas and promotes photosynthesis. Currently the gas is going into the atmosphere.

Member Hudson inquired about the area in which the pipeline is being proposed, there are a lot of uncharted mines and old commercial works. Steve discussed Navigator is discussing these issues with landowners and working with townships where are future schools going to be built or new subdivisions that are going to be built. This help avoids a larger impact or threat to the pipeline. The ICC permit has been submitted and this allows Navigator to have discussions with land owners.

Member Hudson inquired how soon would Navigator know a leak has occurred. Steve stated the pipeline is monitored 24 hours a day 7 days a week. Navigator is looking at redundant systems that will have not just leak protection, but will have fiber optics. This would allow the leak to be isolated in seconds.

Member Deushane inquired what are the effect to water for livestock. Steve stated there are no environmental effects to water as Co2 is used in Coke and Sprite for carbonation. The effect to livestock is the same as it effects humans, difficulty breathing, sweating, increased heart rate, coma, asphyxia, convulsions and even death.

Navigator is doing high concentration area analysis. This is looking at highly populated areas such as prisons and hospitals, and these areas are avoided.

Member McCullum asked what is Co2 going to do for Fulton County. Steve stated the biggest benefit is the property tax, and the sustainability of the ethanol plants for farmers and grain operators.

Alec stated Illinois is different from the four other states where the pipeline is crossing through. A lot of states considers pipeline real property and the pipeline is taxed as real property, but Illinois does not. However, Navigator set aside funds for the pipeline tax that will be paid to Fulton County. Navigator will sit down to discuss how this will be paid. Currently there are some temporary construction jobs that will come to Fulton County. Other industries could move into the area.

Julie Russell, Supervisor of Assessor, stated pipelines in Illinois are not taxable.

Member Arnett inquired what happens if Navigator sells out to another company what happens to the farmers. Alec state the easements that were negotiated travel with the asset or the pipeline.

Member Williams inquired what the benefit is to the property owner. Steve stated the landowners will receive a big check, some people want compensated as a one-time payment, some want multiple payments. The compensation is being given for a 50-foot easement, with 5 years of crop damage. The prepayment is 250% over 5 years. There will be follow up meetings in Fulton County.

TREASURER'S REPORT

Treasurer Mayall reported County General expenditures of \$830,301.378 and revenue of \$1,405.951.69.

The surplus for July is \$575,605.31. The current year's surplus in County General is \$3,024,745.03.

The second installment for Property taxes and mobile homes is due September 2, 2022.

Treasurer Mayall suggest setting aside funds for future projects.

HEALTH

1. Discussion/Action: HFS CNA pay-scale subsidy- Tabled

Tammie Denning, Clayberg Nursing Home Administrator, discussed the HFS CNA pay is being looked at for the Clayberg. Treasurer Mayall confirmed all the payroll notices for CNAs should be pulled. Chairman Clark stated yes to pull the pay roll change notices until clarification is received.

Member Duquenne moved to table the HFS CNA pay-scale subsidy with a second from Member Kumer. Motion carried by roll call vote (16-0).

COUNTY HIGHWAY

Member Madson discussed County 15 will reopen August 10, 2022. The County Highway 2 bridge will be reopened the week of September 5, 2022.

PUBLIC SAFETY & CAMPGROUND

Member Deushane discussed the campground rates will increase 20% next year. Current non- electric sites \$550.00 annually, Dry sites increase to \$750.00 per year and lake access increase to \$900.00 per year. Electric sites: Electric sites \$880.00 annually, dry sites increase to \$1,200.00 annually, lake access sites increase to \$1,500.00 annually and lake front sites \$1,800.00 annually.

Member Thompson inquired why the price increased for the campsites at the campground. Member Deushane discussed the increase to campsite rates are for improvements at the campground.

Member Deushane thanked everyone that participated and helped with the Fulton County Fair.

PROPERTY & COURTS

Member Arnett discussed the Property Committee is waiting on bids to come in for projects.

PERSONNEL/LEGISLATIVE - Nothing to report

FINANCE/INSURANCE - Nothing to report

COMMUNITY DEVELOPMENT – Nothing to report

- ~~1. **Discussion/Action:** Employment Agreement/Zoning Director Pulled~~

LIQUOR

- 1. Discussion/Action:** Approve Gaming Terminal Permits

Member Kumer moved to approve the gaming terminal permits with a second from Member Berry. Motion carried by roll call vote (16-0).

- 2. Discussion/Action: Ordinance:** Amendment to Fulton County Liquor Control

Chairman Clark discussed currently Fulton County has a maximum of 12 liquor licenses. The proposal is to add one license for a total of 13 liquor licenses.

Member Williams proposed to make the number of licenses 15 to give the county extra licenses to issue. Fulton County should not turn down business.

Member Beck moved to approve to amend the ordinance to 15 Fulton County Liquor Licenses with a second from Member Kumer. Motion carried by roll call vote (16-0).

- 3. Discussion/Action:** Class A Liquor Licenses – Rut –N– Strut Bar and Grill

Member Kumer moved to approve the Class A Liquor License for Rut-N-Strut Bar and Grill with a second from Member McCullum. Motion carried by roll call vote (16-0).

4. **Discussion/Action: Ordinance:** Amendment to Fulton County Possession of Alcohol

Chairman Clark discussed the current Fulton County Liquor Ordinance does not allow anyone under the age of 21 to serve or pour liquor.

Chairman Clark called the State of Illinois Liquor Commissioner and inquired if the State of Illinois allows minors to serve alcohol. The State Liquor Commissioner stated it has been Illinois law since 1934 that 18, 19 and 20 year olds can serve and pour liquor. A minor can even own a bar but must have another owner with a 1% interest to receive the alcohol from the supplier. This does not change the ordinance if a person is under 21, they cannot consume alcohol.

States Attorney Jochums discussed he amended the Fulton County Liquor Ordinance to mirror the State of Illinois Liquor Ordinance and this allows 18, 19 or 20 year olds to serve and pour liquor.

Member McCullum inquired if an adult could call the club house and purchase liquor and have an 18, 19 or 20-year-old pick the alcohol up. Chairman Clark stated this cannot be done as the person being served must be 21 years old.

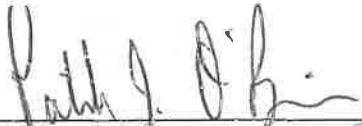
Member Bohler moved to approve the ordinance amendment with a second from Member Thompson. Motion carried by roll call vote (15-1) with Member Kumer voting nay.

EXECUTIVE SESSION: None

ADJOURNMENT

Time: 8:13pm

Member Duquenne made a motion to adjourn the meeting at 8:13pm with a second from Member Thompson. The motion carried with all present voting ayes (16-0).



Patrick J. O'Brien, Fulton County Clerk &
Ex-Officio Clerk of the Fulton County Board

CERTIFICATION:

I, Roger P. Clark, Chairman of the Fulton County Board, State of Illinois, do hereby certify that I have examined the record of the August 9, 2022 Regular Session of the County Board of Fulton County, Illinois and find the same to be true and correct to the best of my knowledge and belief, this day approve the same.

Witness this 13th day of SEPTEMBER, 2022.



Roger P. Clark
Fulton County Board Chairman