



**Champaign County Board  
Environment and Land Use Committee (ELUC)  
County of Champaign, Urbana, Illinois**

**MINUTES – Approved as Distributed August 7, 2025**

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DATE: Thursday, May 8, 2025  
TIME: 6:30 p.m.  
PLACE: Shields-Carter Meeting Room  
Brookens Administrative Center  
1776 E Washington, Urbana, IL 61802

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**Committee Members**

Present	Absent
	Aaron Esry (Vice-Chair)
John Farney	
Jennifer Locke	
Emily Rodriguez	
	Jilmala Rogers
Chris Stohr	
Eric Thorsland (Chair)	

**County Staff:** John Hall (Zoning Administrator), and Mary Ward (Recording Secretary)

**Others Present:** None

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**MINUTES**

**I. Call to Order**

Committee Chair Thorsland called the meeting to order at 6:30 p.m.

**II. Roll Call**

Roll call was taken, and a quorum was declared present.

**III. Approval of Agenda/Addendum**

**MOTION** by Mr. Farney to approve the agenda; seconded by Ms. Rodriguez. Upon voice vote, the **MOTION CARRIED** unanimously.

**IV. Approval of Minutes**

**A. April 10, 2025 – Regular Meeting**

**MOTION** by Ms. Locke to approve the April 10, 2025 minutes; seconded by Mr. Stohr. Upon voice vote, the **MOTION CARRIED** unanimously.

## V. Public Input

There was no public input.

## VI. Communications

Mr. Stohr shared the following: The Illinois Groundwater Association will be meeting June 6 at the I-Hotel for anyone wanting to learn more about groundwater. Please see him for more information. The Illinois Junior Academy of Sciences held an Expo at the State Farm Center over the weekend. It was a big success. The Washington Post has an article on Subsidence Due to Water Withdrawals. Chicago is one of the cities most affected in the U.S. The Carbon Sequestration Task Force had their first meeting on April 21. They hope to meet again around May 29<sup>th</sup>. He also shared that the County had put out a press release regarding the Task Force and that he had just been interviewed by WCIA prior to tonight's meeting.

## VII. New Business: Items to be Approved by ELUC

### A. Recreation & Entertainment License for Araceli Gutierrez for a Spanish Rodeo at the Champaign County Fairgrounds, 1302 North Coler Avenue, Urbana, IL to be held on June 8, 2025.

**MOTION** by Ms. Rodriguez to approve the Recreation & Entertainment License for a Spanish Rodeo at the Champaign County Fairgrounds; seconded by Ms. Locke.

There were no questions or discussion. Upon voice vote, the **MOTION CARRIED** unanimously.

### B. Request by Anthony Donato of Donato Solar for a Zoning Ordinance text amendment to do the following:

1. Delete the requirement for a minimum credit rating for banks that provide a letter of credit for a PV solar farm decommissioning and site reclamation plan; and
2. Allow surety or reclamation bonds or escrow accounts in addition to letter of credit as alternative forms of financial assurance for a PV solar farm decommissioning and site reclamation plan.

**MOTION** by Mr. Stohr to consider the request by Anthony Donato of Donato Solar for a Zoning Ordinance text amendment; seconded by Mr. Farney.

Mr. Hall said Donato Solar has approval for four solar arrays with data centers in Champaign County. A letter of credit is required for the Decommissioning and Site Reclamation Plan. Three of them came in just fine but on the fourth one, the other thing our ordinance requires, is that the bank must be at least an A-rated bank. The bank that had provided the previous letters had lost their rating by the time of the fourth application. It was a bank with a local branch. There are 38 banks in the country that pay for and qualify for this rating. They were finally able to secure a letter of credit. In the process of getting this they decided this didn't make sense. They could have provided an escrow account on day one. The ordinance does not allow for escrow accounts. It also does not allow for a co-sign or backup agreement where a large bank would agree to backup a more local bank. Those are two options that would work but do not meet the ordinance requirements.

The letter also talks about surety and reclamation bonds. There is currently a request for a solar farm that is at the Zoning Board of Appeals. They are requesting a waiver to use surety bonds. A previous County Board was set on having a letter of credit. Mr. Hall feels that the committee might want to wait to take action as you'll be faced with a waiver request for an upcoming solar farm.

Mr. Thorsland asked if a decision is not made tonight, if it will prevent Donato from moving forward. Mr. Hall said no, they have provided everything needed at this point.

At this point, Michael Beem, VP of Finance for Gail Technologies/Donato Solar, was invited to speak and answer questions. His job is to help find financing and letters of credit fall under finance. Everything Mr. Hall stated is correct. They are trying to make sure they are in compliance and not have any issues down the road. A bank that has issued a letter of credit may decide not to re-issue one when it expires. Big banks are not interested in a \$35,000 letter of credit. There are cost for getting that Moody's A rating or S & P rating. There are ways to do this. Money could be put in an escrow account with the County as a co-signer.

Mr. Stohr asked what other solar arrays have done regarding letters of credit. Mr. Hall said that Donato is the only one that has solar arrays, solar farms are different. They are much larger in size, and they have not had any issues with them providing a letter of credit. This is the first time we've worked with a local developer working with a local bank. We have asked the State's Attorney for comments on surety bonds. We should have those by the Board meeting.

Mr. Beem added that it's the bank rating they have a problem with, not getting the letter of credit. Other types of projects do not require this. Surrounding counties do not have the requirement for the bank rating.

Ms. Locke asked if this requirement is a relic of our outdated ordinance. Mr. Hall said state law says the type of financial assurance, including ratings/bonds, are up to the County. With the understanding of the timing and waiting on the report from the State's Attorney, Ms. Locke said she may not say yes tonight, but would support this in the future.

Mr. Farney would like to hear from the State's Attorney on the surety bond, letter of credit, escrow issue before we decide. He feels the committee should let the process play out at ZBA and then address it.

Mr. Thorsland asked about other bank ratings and if we could lower the rating requirement. Mr. Beem said state law says the County cannot require anything more restrictive and the bank rating requirement is more restrictive. They want to be able to stay in compliance in the future.

Mr. Thorsland acknowledged we are not in compliance with state law. He feels first we should see what ZBA comes up with as a recommendation. Donato is set for now. This would give us time to do this right. He asked if we should set a date or bring it back after ZBA makes their decision. Mr. Hall said he would like to wait until the ZBA has made their decision on the case already before them.

Plus, we already have two big text amendments in process and several smaller items that he would like to get cleared up. He will bring it back after one of the text amendments is complete and the ZBA process is done. It will probably be about four to five months from now. He will let Donato Solar know when it comes back.

Mr. Beem asked what if one of the letters of credit expire and they can't get it renewed? A brief discussion was held on how they could be handled. Mr. Hall said at this time, he could handle that administratively. Mr. Stohr asked if there was any difference in cost between the letter of credit, surety bond, escrow, etc. Mr. Beem said they would all be the same amount.

The committee agreed they should wait for ZBA to run its course and bring this back later, possibly in September.

### **VIII. New Business: Items to be recommended to the County Board**

#### **A. Annual Facility Inspection Report for the period 4/1/24 – 3/31/25 for Champaign County's National Pollutant Discharge Elimination System (NPDES) Municipal Separate Storm Sewer System (MS4) Storm Water Discharge Permit with the Illinois Environmental Protection Agency (IEPA)**

**MOTION** by Mr. Stohr to recommend County Board approval of a resolution approving the Annual Facility Inspection Report for the period 4/1/24 – 3/31/25; seconded by Mr. Farney.

Mr. Hall gave an update on the report. He is still waiting on the new standards. They were able to get the storm water survey done this year. The survey deals with the environmental justice areas. He is waiting to see if environmental justice remains with the program. Most of the storm water issues are related to local streets and not County highways. We couldn't do anything the storm water issues if we wanted to because they are not our streets.

In the past, the County Board has had an issue with the maps in the report. The current maps are working maps and not presentation documents. Mr. Hall will be working with RPC to try to improve the maps for next year.

Mr. Stohr asked, since he is working with RPC, will he be working with the GIS Consortium? Mr. Hall said not on this but that he would like to see the County MS4 as an overlay in the GIS maps. He will try to do that in the coming year.

Upon voice vote, the **MOTION CARRIED** unanimously.

### **IX. Other Business**

#### **A. Monthly Reports -None**

There were no monthly reports.

**X. Chair's Report**

There was no Chair's report.

**XI. Designation of Items to be Placed on the Consent Agenda**

Item VIII. A. is to be placed on the Consent Agenda.

**XII. Adjournment**

Chair Thorsland adjourned the meeting at 7:11 p.m.