

**ORDINANCE OF THE
COUNTY BOARD OF THE COUNTY OF HAMILTON, ILLINOIS**

HAMILTON COUNTY ORDINANCE #04-2020

**AN ORDINANCE ESTABLISHING PROCEDURES
GOVERNING THE PUBLIC COMMENT PERIOD AND THE PUBLIC HEARING
OF A SOLAR FARM SITING APPLICATION MADE PURSUANT TO SES
ORDINANCE #01-2020**

WHEREAS, Hamilton County, approved by the County Board on April 21st, 2020, establishes a Solar Energy Systems Ordinance pursuant to IL State Statute 55 ILCS 5/5-12020 to institute regulations for siting Solar Energy Conversion Systems or SES, outside the 1.5 mile zone extraterritorial jurisdiction of Hamilton County Illinois municipalities; and

WHEREAS, The Hamilton County Solar Ordinance requires that there shall be at least one public hearing not more than 60 days prior to a siting decision by the county board; and

WHEREAS, the purpose of the ordinance was to allow a period of public comment; and

WHEREAS, consistent with the Hamilton County Solar Ordinance mandate for a public hearing, the County Board has set forth certain procedures governing the public comment period and rules for the public hearing as follows:

" Procedures governing the public comment period

1. During the public comment period the Hamilton County Board will receive public comments regarding the siting application of (Applicant) being made pursuant to Hamilton County Ordinance #01-2020, for the construction and operation of a solar energy system in (County area).
2. Comments may be received in two forms:
 - a. Oral comments made at the public hearing; and

b. Written comments received at the public hearing or received after the public hearing adjournment at (stated time, date and location).

3. Members of the public observing the public hearing must abide by the following rules:

a. Audience members must be seated and quiet, loitering in the hearing room is prohibited; and

b. Any person who is unruly, disrupts or attempts to disrupt the hearing or otherwise engages in inappropriate behavior will be expelled.

Excessive applause, jeering or other commotion shall be considered disruptive.

Speaking rules at the public hearing

1. Speakers may register to speak by filling out a registration sheet provided by the County Board or by requesting to be recognized at the public hearing by providing a first and last name.

2. The Public Hearing Moderator will recognize each speaker in turn, at which time the speaker will step to the podium, speak clearly into a microphone and state and spell the speaker's first and last name. This will permit the court reporter to prepare an accurate transcript.

3. Only one person may speak at a time so the court reporter can transcribe what is being said.

4. Each speaker is allowed to speak one (1) time per item on the Agenda.

5. The Public Hearing Moderator will manage the time limit period for each speaker. Each speaker shall have the following time limit period:

a. Opening comments of the Applicant: five (5) minute limit; and

b. Licensed attorneys representing collectively, individually or as a spokesperson a group of speakers consisting of five (5) or less persons: five (5) minute limit; those attorneys representing six (6) to twenty-five (25) persons: ten (10) minute limit; and those attorneys representing twenty-six(26) or more persons: fifteen (15) minute limit; and

c. Other speakers: three (3) minute limit; and

d. Closing comments of the Applicant: five (5) minute limit.

6. Each speaker must adhere to the appropriate time limit period. Any speaker exceeding the time limit will be directed to stop speaking by the Public Hearing Moderator. Speakers directed to stop speaking by the Public Hearing Moderator must do so immediately. Time limits will be enforced by the Public Hearing Moderator.

7. All comments shall be in keeping with proper and courteous conduct.

8. Each speaker shall direct comments to the County Board in general and shall not direct comments to any individual(s) or any audience member(s).

9. The Public Hearing Moderator shall take whatever action is necessary to ensure that these rules are enforced and the hearing proceeds in an orderly fashion, including enforcing the time limits.

10. Neither the SES Ordinance nor state statute provides for any particular time period for the public hearing. The public hearing does not have to last until every person present has had the opportunity to be heard. Time limits will be strictly enforced by the Public Hearing Moderator so that as many persons as possible may have the opportunity to speak at the hearing.

Speaking order at the public hearing

1. Opening comments of the Applicant; and

2. Licensed attorneys representing collectively, individually or as a spokesperson for a group of individuals; and

3. Other speakers, rotating turns and starting with a stated position of being in opposition to ; followed by a stated position of being in support of ; followed by a stated position of being neutral to the Solar Farm

application, with first speaking priority given as follows:

a. Speakers who are Hamilton County residents, business owners or who own real property in Hamilton County and who register prior to the public hearing at the Hamilton County Clerk & Recorder's Office, located at 100 S. Jackson Street, McLeansboro, Illinois, 62859, (stated time and date); followed by

b. Speakers who register prior to the public hearing at the Hamilton County Clerk & Recorder's Office, located at 100 S. Jackson Street, McLeansboro, Illinois, 62859, (stated date and time); followed by

c. Speakers who are Hamilton County residents, business owners or who own real property in Hamilton County and who register at the public hearing venue before the hearing begins; followed by

d. Speakers who register at the public hearing venue or during the public hearing or speakers who request to be recognized at the public hearing by providing a first and last name but provide no other information.

e. Those persons who are seeking speaking priority must provide all of the following information at registration: a first and last name, a valid, current address and a stated position of being in opposition to, in support of, or a neutral position to (Applicant). This information will allow the Public Hearing Moderator to determine an order of speaking priority.

4. Closing comments by the Applicant.

The public comment period

1. The County Board will receive oral comments made at the public hearing until (stated time); and
2. The County Board will receive written comments as follows:
 - a. at the public hearing until (stated time); or
 - b. after the public hearing adjournment, then by (stated date and time).

Written comments shall be received at (location), and in a timely manner.

The stated purpose of the public comment period

1. The purpose of the public comment period is to allow the Applicant and the public an opportunity to inform the Hamilton County Board about their views at a public hearing and to otherwise make written comments regarding the siting application of the Solar Farm, being made pursuant to Hamilton County Ordinance #01-2020, for the construction and operation of a solar energy system in _____ Township. This public comment period will provide the County Board with valuable input for its consideration while the County Board reviews the siting application. The County Board will take into consideration all oral comments made at the public hearing, as well as all other written comments timely received during the public comment period. The County Board further appreciates all public participation regarding this matter.
2. The County Board may modify the procedures and rules as needed to accomplish the stated purpose of the public comment period."

BE IT FURTHER ORDAINED, that this Ordinance shall be effective immediately upon being approved.

NOW, THEREFORE, BE IT, AND IT IS HEREBY ORDAINED BY the
County Board for the County of Hamilton, Illinois that this Ordinance establishing
procedures governing the public comment period and rules for the public hearing for
the siting application of a solar farm application made pursuant to SES Ordinance
is #01-2020 hereby approved as stated above and is effe immediately.

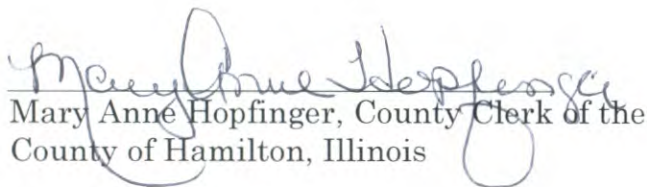
PASSED this **21st** day of **April, 2020**.

APPROVED:



Hamilton County Board Chairman

ATTEST:



Mary Anne Hopfinger, County Clerk of the
County of Hamilton, Illinois