

**Agriculture and Zoning Committee**  
**Of the Livingston County Board**  
**Meeting Agenda**

***RECESSED***

Mike Haag, Chair  
Paul Ritter, Vice Chair

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Thursday July 17, 2025 at 5:15 p.m.  
Livingston County Historic Courthouse  
112 W. Madison St., Pontiac, IL

1. Opening
  - a. Roll Call
  - b. Approval of the Agenda
2. Business:
  - a. **Resolution: Defining “Substantially Complete”**
3. Public Comment
4. Adjournment

LIVINGSTON COUNTY, ILLINOIS

RESOLUTION NO. \_\_\_\_\_

A RESOLUTION REGARDING THE DEFINITION OF “SUBSTANTIALLY COMPLETE” AS USED  
IN RESOLUTION No. 2022-11-61

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WHEREAS, the Livingston County Board approved the Livingston Wind Project, LLC (“Project”) for the construction and operation of a Wind Energy Conversion System (now known as Commercial Wind Energy Facility) pursuant to Resolution No. 2022-11-61;

WHEREAS, pursuant 55 ILCS 5/5-12009.5, the Livingston County Board’s approval included a number of conditions;

WHEREAS, among the conditions of approval was the following:

“Commencement of Construction of the Livingston Wind Project, LLC (“Company”) project (“Project”) in Livingston County shall begin by December 1, 2027 and the Company shall **substantially complete construction of the Project** on the date which is twenty-four (24) months after such Commencement of Construction. If any litigation is filed challenging the approval of the Project, then the time for Commencement of Construction shall be within five (5) years after termination of the litigation, and the time for the Company to **substantially complete** construction shall be within twenty-four (24) months after Commencement of Construction. If the Company fails to begin or **substantially complete construction of the Project**, or any portion thereof, on or before such dates, the special use for the Project, if Commencement of Construction has not occurred by the applicable date provided above, or the Special Use as to the substantially incomplete portions thereof, if the Project is not **substantially completed** by the applicable date above, shall expire and become null and void, unless, prior to such expiration, an extension of time is granted by the Livingston County Board (“County Board”), upon application by the Company. As used herein, the term “Commencement of Construction” shall mean the issuance of an improvement location permit for a wind turbine in the Project by the Zoning Administrator of Livingston County (“Zoning Administrator”) using reasonable due diligence. “*See Resolution No. 2022-11-61, and Condition of Approval #1, emphasis added.*”

WHEREAS, the phrase “substantially complete construction of the Project” is not defined within the Livingston County Ordinances, either prior to the approval of the Project nor since the approval of the Project;

WHEREAS, the Livingston County Board desires to bring clarity to the phrase “substantially complete construction of the Project” in order for the County staff and the Project to have clarity on the intended meaning and effect of said phrase;

WHEREAS, the Livingston County Board finds the following definition of “substantially complete construction of the Project” to be appropriate for this particular Project, and at this time, shall only be applicable to this particular Project:

**“substantially complete construction of the project” shall mean “the turbines have been erected and the project is ready to: (1) be connected to the interconnecting utility (Commonwealth Edison); (2) receive power from the grid and (3) start testing of the turbines.”**

NOW THEREFORE BE IT RESOLVED, that the definition of the phrase “substantially complete construction of the Project” shall, for the purposes of the Livingston Wind Project, LLC, shall have the following meaning: **“substantially complete construction of the project” shall mean “the turbines have been erected and the project is ready to: (1) be connected to the interconnecting utility (Commonwealth Edison); (2) receive power from the grid and (3) start testing of the turbines.”**

This resolution shall be included and become part of the Conditions of Approval of Livingston County Resolution No. 2022-11-61.

This resolution is only applicable to the Project denoted herein and is expressly not applicable to any other Commercial Wind Energy Facility or Commercial Solar Energy Facility.

ADOPTED AND APPROVED, this \_\_\_\_\_ day of July, 2025.

Ayes \_\_\_\_

Nays \_\_\_\_

Abstain \_\_\_\_

\_\_\_\_\_  
Chair, Livingston County Board

\_\_\_\_\_  
Attestation