

# CHAMPAIGN COUNTY BOARD COMMITTEE OF THE WHOLE MINUTES

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Tuesday, May 4, 2010

Lyle Shields Meeting Room, Brookens Administrative Center  
1776 E. Washington St., Urbana, Illinois

**MEMBERS PRESENT:** Carol Ammons, Jan Anderson, Steve Beckett, Ron Bensyl, Thomas Betz, Lorraine Cowart, Chris Doenitz, Stan James, John Jay, Brad Jones, Greg Knott, Alan Kurtz, Ralph Langenheim, Brendan McGinty, Diane Michaels, Alan Nudo, Steve O'Connor, Michael Richards, Giraldo Rosales, C. Pius Weibel, Barbara Wysocki

**MEMBERS ABSENT:** Lloyd Carter, Matthew Gladney, Steve Moser, Larry Sapp, Jonathan Schroeder, Samuel Smucker

**OTHERS PRESENT:** Jeff Blue (County Engineer), Kat Bork (Administrative Secretary), Deb Busey (County Administrator), Susan Chavarria (RPC Community Development Manager), David DeThorne (Senior Assistant State's Attorney), John Hall (Planning & Zoning Director), Alan Reinhart (Facilities Director)

## CALL TO ORDER

Wysocki called the meeting to order at 6:03 p.m.

## ROLL CALL

Bork called the roll. Ammons, Anderson, Beckett, Bensyl, Betz, Cowart, Doenitz, James, Jay, Jones, Knott, Kurtz, McGinty, Michaels, Nudo, O'Connor, Rosales, Weibel, and Wysocki were present at the time of roll call, establishing the presence of a quorum. Weibel stated Gladney had informed him in advance of the meeting that he would be unable to attend.

## APPROVAL OF COUNTY BOARD RESOLUTION TO MEET AS COMMITTEE OF THE WHOLE

**MOTION** by Beckett to approve the County Board Resolution to meet as a Committee of the Whole; seconded by Rosales. **Motion carried with unanimous support.**

## APPROVAL OF MINUTES

**MOTION** by Kurtz to approve the Committee of the Whole minutes of April 6, 2010; seconded by James.

Wysocki asked that the word "not" be added to Kurtz's statement on page 8, line 350.

**Motion carried as amended with unanimous support.**

**APPROVAL OF AGENDA/ADDENDA**

**MOTION** by Anderson to approve the agenda and addendum; seconded by Kurtz.

Beckett requested the agenda be rearranged to address the ELUC items, with item 10.B.1 first, followed by Highway and Facilities items to accommodate the large number of citizens who are in attendance for the zoning issue. Wysocki announced all major participants for the ELUC items were not present at this time, so the Board would proceed with ELUC item 10.B.1 first, then move onto the Highway and Facilities items before finishing the ELUC items.

**Motion carried with unanimous support.**

**PUBLIC PARTICIPATION**

Jimmy Howe, a trustee in the Apostolic Life Church, voiced support for the Lifeline Connect Program operated by the church as a wonderful program that is needed in the community. He urged the County Board to support adding “Residential Recovery Center” as a by-right use in the County’s Zoning Ordinance.

Wysocki noted a number of people were present to speak to that item and their comments would be orchestrated by Carl Webber to be efficiently presented to the Board.

Carl Webber thanked the County for reordering the agenda to firstly address the request to amend the Zoning Ordinance to add “Residential Recovery Center” as a by-right use in the R-4 Multiple Family Residence Zoning District and as a Special Use Permit in the AG-2 Agriculture Zoning District when operated by and located with a church or temple. Webber explained that the Lifeline Connect Program is an alcohol and drug addiction treatment program operated by the Apostolic Life Church for several years. The program allows for 8 male participants who live onsite. Webber described the requirements a church or temple has to comply with and how the existing program has a history of quiet supervision in the neighborhood. He spoken about the benefits the Lifeline Connect Program provides to the community through the treatment of substance abuse.

Richards entered the meeting at 6:13 p.m.

Webber continued to describe allowable uses already seen in the community at Hillel and McKinley and how the Lifeline Connect Program has applicable rights under the Fair Housing Amendment as an educational and housing program. He assured the Board the church’s expansion of the program will be modest.

Scott Olthoff from Salt & Light Ministries spoke about his involvement in the educational component of the Lifeline Connect Program and in support of the Zoning Ordinance text amendment request.

Randy Brown, Lifeline Connect Program Director, talked about the recovery ministry and structured, safe, and supervised environment the program offers to participants. He spoke about the program's curriculum and counseling services with emphasis on the campus's safety and supervision. Brown offered to give tours of the facility to any interested Board member.

John Grubb, Randy Roberts, and Derek Brasheak; residents in the church's neighborhood, said the program generated no complaints from the church's neighbors and urged the County Board to approve the amendment.

Current and past Lifeline Connect Program residents Thomas Martin, Jeffrey Branson, and Leslie Cotton spoke about how the program has changed their lives in a positive manner.

R.T. Eaton, Lifeline Connect Director of Operations, described how he lives on campus with the program's participants and described their constant supervision and structure. He remarked that no one has ever needed to be dismissed from the program.

Pastor D.L. Rogers expressed how the Lifeline Connect Program is a whole life treatment of a person's needs to create a Christian faith-based solution to addiction. The program provides a safe, healthy environment to train individuals to transform their lives. This program is patterned after thousands of similar residency treatment programs. Typically six men at a time are enrolled in the program for one year, which includes transitioning back to work. The program has been in operation for four years without being any nuisance to the neighborhood. Pastor Rogers said residential recovery centers, when facilitated under the guidelines proposed by the amendment, are less intrusive than motels, schools, nursing homes, libraries, etc. that are allowed under special use in the AG-2 District. He urged the County Board to pass this Zoning Ordinance amendment for this purpose to benefit the community, those recovering from substance abuse, and their families.

After verifying that no one else wished to speak, Wysocki closed public participation.

## **COMMUNICATIONS**

Kurtz announced the state legislature has passed the wind farm property tax legislation, HB 4797, extending the property tax for wind farms to 2016. He mentioned the tentative date for the *Chicago Tribune's* magazine cover story about Olympian Drive was Sunday, May 23<sup>rd</sup>.

Wysocki drew the County Board's attention to the flyer about the residential electronic recycling collection drive occurring this Saturday between 8:00 a.m. and 1:00 p.m. at Apollo Drive in Champaign.

## **HIGHWAY & TRANSPORTATION**

### **Monthly Report**

A revised monthly report of the County & Township Motor Fuel Tax Claims for April 2010 was distributed to County Board members.

**MOTION** by Langenheim to receive and place on file the County & Township Motor Fuel Tax Claims Monthly Report for April 2010; seconded by Beckett.

Doenitz asked about the reason for the substantial CUUATS fees. Blue stated the County is a CUUATS member and all members pay for the CUUATS staff's time and work. This funding pays for the day-to-day CUUATS operations and does not cover the cost of studies or anything outside of CUUATS's normal work. CUUATS has to exist as a metropolitan planning organization in order for the Champaign-Urbana area to receive federal funding.

Nudo inquired if the County Board can decline to increase funding if CUUATS asks for an increase in future years when the County budget is strained. Blue stated it would be the decision of the CUUATS Policy Committee, which is run by CUUATS members.

**Motion carried with unanimous support.**

### **County Engineer**

#### **Resolution Awarding Contract for the Furnish and Spread of Bituminous Materials for 2010 Maintenance of Various Road Districts in Champaign County**

Blue explained the bid letting was held on April 22, 2010 for all the bituminous materials. This is the material townships use for seal coating or liquid asphalt application. The bid is based on a per gallon unit price. The single bidder was the Illiana Construction Company from Urbana. Some prices were unchanged and some increased slightly. Asphalt prices spiked a couple years ago and have stayed high. Blue felt this was a good bid.

**MOTION** by Jay to approve the Resolution Awarding Contract for the Furnish and Spread of Bituminous Materials for 2010 Maintenance of Various Road Districts in Champaign County; seconded by Bensyl.

Weibel wondered if Blue was surprised to receive only one bid. Blue replied there has been only one bidder for about 20 years. The seal coating process involves moving a substantial quantity of material to the roads. Illiana has a plant in Champaign-Urbana so it is hard for other bidders to beat their price, especially with transportation costs. Blue noted the price is comparable to surrounding counties. Kurtz asked why the prices had not decreased when the price of oil declined. Blue described how the Illiana buys its oil from companies like Amoco and Marathon. They tell Blue that improved processing has increased the amount of fuel that can be extracted from crude oil, reducing the leftover amount for asphalt. Asphalt prices rise with the decreased supply and steady demand. It is the price of doing business.

**Motion carried with unanimous support.**

#### **Resolution Awarding Contract for the Improvement of County Highway 20 (Sellers Road) Between TR1800E and 2200E – Section #09-00426-01-RS**

Blue described County Highway 20 as the road to Royal. The improvements will occur on four miles starting at the road to St. Joseph. There were two bidders: Cross Construction Company

with a bid of \$1,305,000 and Open Road Paving Company with a bid of \$1,240,000. The engineer's estimate was \$1,380,000. The Open Road Paving Company was the low bidder.

**MOTION** by Bensyl to approve the Resolution Awarding Contract for the Improvement of County Highway 20 (Sellers Road) Between TR1800E and 2200E – Section #09-00426-01-RS; seconded by Jay. **Motion carried with unanimous support.**

### **Other Business**

#### **Semi-Annual Review of Closed Session Minutes**

**MOTION** by Knott for an all closed session minutes to remain closed based on the advice of the County's legal counsel; seconded by Kurtz. **Motion carried.**

### **Chair's Report**

There was no Chair's report.

### **Designation of Items to be Placed on County Board Consent Agenda**

Agenda items 8.B.1-2 were designated for the consent agenda.

### **COUNTY FACILITIES**

#### **Courthouse Exterior/Clock & Bell Tower Renovation Project**

##### **Project Update**

**MOTION** by Cowart to receive and place on file the project update; seconded by McGinty. **Motion carried with unanimous support.**

### **Facility Director**

#### **Capital Improvement Projections – Roofing**

Busey spoke regarding the need for the County to develop a capital facilities replacement/improvement plan. The roofing replacement projection is the start of that plan. Estimates were provided to appropriately set aside the funds to replace roofs on a timely basis. Busey stated this is the first chapter of a full capital replacement/improvement plan for the County's facilities. The plan will be built in pieces over future months as the needs of each system are determined. Busey included an overview of the guidelines in developing the capital replacement/improvement plan.

Beckett inquired how the annual reserve amount was determined for roof replacement. Reinhart explained they used available historical data with original installation dates, the roofs' warranty periods, estimated life of roofs, and the basic cost of replacement compounded for inflation. The figures are somewhat a shot in the dark because the price of roofing materials could substantially change. They calculated the annual amount which would need to be reserved to reach the replacement cost goal. Beckett commented the County Facilities Committee members would recall they formed a subcommittee to approach this project. Beckett and Busey have been

discussing this project for several months. The alternative to this approach would be to hire a consultant, but Beckett did not think the County has any money to take that approach. He felt this method was a very conservative way to set up a capital reserve budget. Weibel agreed with Beckett and noted the County could hire a consultant when the Capital plan is finished to verify the information. Weibel asked Reinhart if the roofs were listed in any particular order and Reinhart answered they were not.

James said this was a good start to the capital plan. He thought the South Highway Garage's roof was recently replaced following storm damage. Reinhart said the last storm damage was on the ILEAS Training Facility (old nursing home facility). The ILEAS Training Facility was not included on the spreadsheet. James concurred with Reinhart's assessment that building material costs fluctuate greatly over time

Jay was ecstatic that a capital improvement/replacement plan was being developed after years of Board members pleading for some type of plan. He thanked Reinhart and Busey for starting this process.

#### Building & Equipment Capital Replacement Guidelines

The capital replacement guidelines were discussed under the previous item.

#### Physical Plant Monthly Report – March 2010

**MOTION** by Ammons to receive and place on file the Physical Plant March 2010 monthly report; seconded by Kurtz. **Motion carried with unanimous support.**

#### County Administrator

##### Brookens Lease for Access Initiative Project

**MOTION** by Jones to approve the lease for space in the Brookens Administrative Center for the Access Initiative Project; seconded by James.

Busey detailed that the Champaign County Mental Health Board was awarded a Substance Abuse and Mental Health Services Administration (SAMHSA) Grant to fund the Access Initiative Project for 6 years with 5-7 staff members. The project will lease the space in Brookens formerly occupied by the Coroner's Office for the same price the Mental Health Board pays for its current space.

**Motion carried with unanimous support.**

Nudo questioned the term of the lease. Busey stated it will be for 3 years and will be corrected by the full Board meeting.

### Annual Renewal of Gill Building Lease

Beckett asked to defer the discussion of the Gill Building lease until later in the meeting because it could be the subject of a closed session. The Board proceeded to address the Highway & Transportation agenda items since Blue had arrived and returned to the Gill Building lease discussion later.

Beckett remarked the Board could enter into closed session because the Gill Building lease is complicated and involves negotiations with another party. He asked the Board members to avoid talking about legal specifics or lease strategy and instead to speak globally during open session. The Board agreed to talk in general terms.

Beckett explained the lease on the Gill Building is up. The rent on this building increases every year and the County Facilities Committee in general does not like leasing property. The Coroner was moved into the Gill Building and the County Clerk's election equipment was moved to storage space at Brookens, which is not an ideal space. The South Highway Garage is partially used by the Sheriff and partially unoccupied right now. The goal was to move the County Clerk's election equipment into the unoccupied section of the South Highway Garage. Some miscommunication occurred and the County Facilities Committee was apprised that the County's Clerk's HVAC needs to store his equipment are much higher than what is currently present the South Highway Garage. After receiving an architect's opinion, Beckett did not support upgrading the HVAC system in the South Highway Garage to store the election equipment because the amount of money it would cost could be equal to or more than the building's value. Reinhart has indicated he could move the Physical Plant set-up from the Gill Building to South Highway Garage. It was proposed that the County consider constructing an FBI building on the lot north of the Animal Control Facility and south of the 1905 E. Main property instead of continuing to lease the Gill Building. This approach has been advocated by some County Facilities Committee members. Beckett requested direction from the Committee of the Whole whether they wanted a proposal fine-tuned for the next meeting. Busey stated the lease notice deadline is June 23<sup>rd</sup>, which is the day before the June County Board.

James supported the County moving towards owning an FBI building instead of leasing space. Beckett stated an FBI building would house the Coroner, the County Clerk's election equipment, and some County storage space. Jay asked if buying an existing building in this area would be an option. He did not favor continuing to rent a building. Beckett agreed that option would be considered. Because of the lease deadline of June 23<sup>rd</sup>, Beckett asked if the Board would consider a motion to authorize the County Administrator to negotiate a lease extension for an additional year or a part thereof while other options are explored.

**MOTION** by James to authorize the County Administrator to negotiate a lease extension for the Gill Building for one year or less; seconded by Jones.

Ammons questioned where the facility building money would come from. Beckett stated there is money in this year's budget. The recommendation would come back with cost estimates so the Board can consider how to move forward.

Jones asked about using the downtown jail building for the Coroner instead of constructing a new building since the space may not continue to meet the Sheriff's needs in the next 5 years. Beckett verified the motion on the floor will allow the Board to consider all options.

**Motion carried with unanimous support.**

Closed Session Pursuant to 5ILCS 120/2(c)5 to Consider the Purchase or Lease of Real Property for Use of the Public Body

No closed session was held.

**Other Business**

Semi-Annual Review of Closed Session Minutes

**MOTION** by Knott for an all closed session minutes to remain closed based on the advice of the County's legal counsel; seconded by Kurtz. **Motion carried.**

**Chair's Report**

There was no Chair's report.

**Designation of Items to be Placed on County Board Consent Agenda**

Agenda item C.1 was designated for the consent agenda.

**ENVIRONMENT & LAND USE**

**Zoning Ordinance Amendments**

Request to Amend Champaign County Zoning Ordinance Zoning 634-AT-08 Part B  
Petitioner: Champaign County Zoning Administrator

**MOTION** by Wysocki to accept the Zoning Board of Appeals' recommendation on Zoning Case 634-AT-08 Part B; seconded by McGinty.

Hall announced this was the small wind turbine ordinance text amendment that has been on the agenda for the past two months. It is for small wind turbines, 150 feet less in height with a turbine diameter of no more than 24 feet. It allows for big wind turbines, which are identical to wind farm turbines, but the ordinance is written in a way to prohibit more than 3 turbines. Hall thought it was unlikely the County would see any large wind turbines.

Cowart exited the meeting at 6:57 p.m.

Weibel hypothesized that someone could place a wind turbine on top of a barn and asked if the structure would be include in the turbine height calculations. Hall noted that roof mounted turbines generally do not exceed more than 15 feet. The structure is included in the height measurement. Hall thought the height question can be dealt with on a permitting basis. Any wind turbine within a mile and a half of a municipality's zoning falls under the jurisdiction of that

municipality and the County has no authority. Tonight the County Board is considering adopting the Zoning Board of Appeals' recommendation. This item will return next month for a final recommendation.

Rosales asked where the University of Illinois will install its wind turbine. Hall last heard it would be placed south of Windsor Road. Those turbines would be owned by the University of Illinois and, by extension, owned by the State of Illinois. As such, those turbines would be exempt from the County's Zoning Ordinance.

McGinty exited the meeting at 7:00 p.m.

Nudo, making note of the changing technology, wondered if the amendment was too detailed in its specifications on the chart (Pages 44-45) when no permits were being requested at this time. He suggested they obtain industry advice to ensure the ordinance was in step with the technology to avoid a time-consuming rewrite or noncompliance at the later date. He urged the Board to wait and allow Hall time to gather information from the same sources he contacted in 2009. Other counties are not in the same mode concerning technological issues, such as rotator diameter or noise limit. He was very pleased with Hall's efforts to keep the County Board apprised of all the necessary information.

McGinty returned to the meeting at 7:02 p.m.

Hall provided background about the first wind turbine permit issued in 1998-1999 and how they have been permitted since then. To date, Champaign County is using existing tower regulations, which are by-right provided, for permitting. Agricultural wind turbines are exempt from zoning. Hall could not explain why some counties do not regulate rotator diameter. The public who attended the ZBA hearings were very adamant they wanted the ZBA to limit rotator diameter. Nudo asked if the technological points in the amendment conforms with what is available in the industry. He would hate to see the ordinance rewritten in a year due to technological changes.

Weibel exited the meeting at 7:05 p.m.

Hall confirmed the ZBA looked at lots of data on wind turbine rotator diameter and its function of overall turbine rating. These sizes provided in the text amendment were determined to be adequate based on this information. The biggest turbine the County has permitted to date was the agricultural turbine and its rotator is smaller than 24 feet. The ZBA knows the names of all turbines currently manufactured and available locally that comply with Illinois Pollution Control Board noise regulations. Hall confirmed the ZBA did look at the market because it shared the same concerns as Nudo in writing a text amendment to ensure it would not be out-of-date within a year.

Weibel returned to the meeting at 7:08 p.m.

**Motion carried.**

Request to Amend Champaign County Zoning Ordinance Zoning Case 664-AT-10  
Petitioner: Champaign County Administrator

The County Board gave Hall permission to proceed on the amendment for case number 664-AT-10 a few months ago. The amendment clarifies a contradiction in the ordinance regarding shadow flicker for wind farm turbines and amends the Zoning Ordinance to comply with state law regarding the number of ZBA votes to affirm or deny a request. The State's Attorney has determined Champaign County cannot establish a higher standard than what is required by state law. This is a preliminary ZBA recommendation and will return next month along with any municipal comments received in the meantime.

**MOTION** by Beckett to accept the Zoning Board of Appeals' recommendation on Zoning Case 664-AT-10; seconded by Ammons.

James asked who checks shadow flicker to determine if it is in compliance with the ordinance. Hall stated the ordinance requires a shadow flicker analysis, but he has no way of verifying a shadow flicker analysis. A consultant would have to be hired to verify shadow flicker beyond the initial analysis. James indicated without enforcement the ordinance was just a piece of paper. Beckett noted that the County has an objective standard with this provision and without the provision it would be entirely subjective.

**Motion carried with unanimous support.**

Direction to Zoning Administrator Regarding Necessary Zoning Ordinance Text Amendment  
Request to Conduct a Champaign County Zoning Ordinance Text Amendment To Add Residential  
Recovery Center as an Authorized Use in the R-4 Zoning District & as a Special Use in the AG-2  
District When Operated by & Located with a Church or Temple

**MOTION** by Betz to conduct a Zoning Ordinance text amendment adding "Residential Recovery Center" as a by-right use in the R-4 Multiple Family Residence Zoning District & as a Special Use Permit in the AG-2 District when operated by & located with a church or temple; seconded by Weibel.

Langenheim entered the meeting at 6:30 p.m.

Kurtz applauded the Apostolic Life Church's efforts through this program to help addicts with their recovery and he supported expanding the program. Weibel clarified, for the audience's benefit, that the Board's action tonight would allow a hearing on the amendment.

Ammons asked about the impact of this change on overall zoning. Hall explained the proposal was to amend the Zoning Ordinance so a "Residential Recovery Center" could be located anywhere in the R4 or in the AG-2 district as long as it is accessory to a church or temple, within 1.5 miles of a home rule municipality with an adopted comprehensive plan, and is in a location served by public transport. This amendment is as narrowly focused as possible. The Lifeline Connect Program meets all of those requirements.

Nudo asked why Hall selected the number of 30 or if the church chose the number. Hall stated the number 30 is based on the existing small hotels with up to 15 lodging units already allowable in the AG-2 district. He calculated one lodging unit would house 2 people, hence the number of 30. The amendment is structured to be constituent with the existing AG-2 district.

**Motion carried with unanimous support.**

Wysocki moved onto the Facilities agenda items to give the County Engineer the chance to arrive at the meeting.

Zoning Administrator Recommendation for Removal of Garbage & Debris at 1504 North Eastern Avenue, Urbana

Pictures of the condition of the house and land at 1504 North Eastern Avenue, Urbana were presented at the County Board members' desks. Hall described how the nuisance ordinance authorizes the County to remove garbage and debris. The Planning & Zoning Department is having no success in getting these property owners to clean up the garbage. This property is subject to an annexation agreement and the County did not accept jurisdiction in the beginning. Hall believed removing garbage and debris before removing the dangerous structure will probably cost more, but he has no way of knowing how soon the court will grant permission to remove the dangerous structure. With the Board's agreement, Hall would immediately proceed with removing the garbage and debris from the property.

**MOTION** by Beckett to authorize hiring a contractor to remove & dispose of garbage & debris at 1504 North Eastern Avenue, Urbana; seconded by Weibel.

Beckett asked if removing debris created a lien-able event so the County could ultimately recover its costs. Hall answered that was correct. Beckett questioned why the clean-up estimate of \$3,000-\$9,000 was such a large range. Hall did not know the reasoning behind the 4 estimates, 3 of which are at the lower end of the range and 1 that was at high end. Weibel inquired what the property was worth. Hall had no idea, but two neighbors have contacted the current owner about purchasing it. The process slowed down once the current owner became aware of potential buyers. Weibel did not want the County to spend more than the property is worth and support moving forward with cleaning up the property.

Michaels wanted to know if Hall had a timeframe to eventually tear down the house. Hall stated the County could not touch the structure until the court grants its authorization. There has been no court date yet. Michaels asked about demolition costs. Hall did have some estimates to tear down the structure and felt the costs could be recaptured.

Jay asked if a lien could be used to recoup the cleanup costs alone if the owner decides to savage the property. Hall was not sure how the County would recover the lien if the property never changes hands. Beckett stated they could foreclose if they have a lien.

Rosales inquired if the property owner had been fined for not cleaning up the garbage within a reasonable amount of time. Hall stated the nuisance ordinance provides for fines, but those fines

must be imposed by a judge. Over 6 months have passed since the owner was noticed that they were in violation of the ordinance.

Bensyl exited the meeting at 7:20 p.m.

James asked what the County's liability would be if they take no action, especially considering the vermin and public health issues. Beckett assumed people have complained about this property. Enforcement is a question of budgeting and getting the case addressed in the courts. He noted the State's Attorney's Office has recently lost staff and the prosecution of these cases does not pay for itself because people who do not take care of their property typically do not have money to pay fines. Hall stated the court rarely assesses fines in these cases.

O'Connor asked why this property was not the City of Urbana's problem. Hall explained the annexation agreement made it the City's problem, but the City argued this was a nuisance problem and Urbana does not have nuisance ordinance. The annexation agreement does not clearly cover the nuisance ordinance. He warned the County Board that a judge could say the County does not have jurisdiction because of the annexation agreement.

Ammons asked where the cleanup costs would come from. Hall answered there is money in a line item for this specific purpose. Rosales asked why the County did not just raze the structure as a public health problem. Hall reiterated they could not touch the structure without a court order.

**Motion carried with unanimous support.**

### **Land Resource Management Plan Implementation for Remainder of FY2010 Planning Contract**

Chavarria distributed a request form for a paper or CD copy of the final Land Resource Management Plan (LRMP). She is planning to print the plan this month.

Chavarria stated the approved work plan for the FY2010 County Planning Contract included about 700 hours to implement the LRMP. The final LRMP includes language specifying that the County Board will have input as to how the LRMP implementation items will be prioritized. She requested the Board's input on spending the remaining time in FY2010 and the next fiscal year for LRMP implementation. A memo was provided in the agenda packet listing items identified as being ideal to implement within the first 3 years. She would be happy to oblige if the Board preferred to include some of the other 200 implementation items.

Beckett asked if Chavarria was seeking direction regarding on implementation until the end of the current fiscal year. Chavarria confirmed that was accurate. Beckett questioned if some work would be done on every one of the items identified in the memo on pages 109-111 of the agenda packet or whether the Board should direct her on which items to implement by November 30<sup>th</sup>. He wanted to know what Chavarria realistically thought could be achieved this fiscal year so the County Board could determine its priorities. Chavarria said there was no way for staff to address all the priority items listed in her memo. The progress is dependent on how many meetings staff has to attend to get through zoning ordinance changes. Beckett remarked it would help if Chavarria could

give the Board some idea of what she thought staff could realistically accomplish in the next 6 months. Chavarria recommended the ongoing tasks for the County Planner (including priority item 9.4A) and priority items related to looking for funding opportunities to lessen dependency on the County budget as items that could be accomplished this fiscal year.

Knott requested this item be tabled until the next meeting so Chavarria could return with a written recommendation of priorities that could be realistically achieved in the appropriate time frame. Nudo commended Chavarria for putting the list together so quickly, however, they were not following the preamble of the LRMP's goals, objectives, and policies. The preamble states the RPC planning staff shall present options for a work plan for the ensuing year to ELUC based on budgetary guidelines established by the annual budget process resolution in June of each year. The options presented shall be based on the LRMP and annual budgetary guidelines. ELUC shall establish the priorities to be accomplished for the work plan and recommend approval to the County Board no later than September. Nudo wanted to know what the ongoing costs would be and who would pay for any new ordinances before work proceeds. He did not want the Planner spending time paid for by the County Planning Contract on items that have not been approved as priorities by the County Board. Otherwise, the Planner could spend time working on an issue that is then rejected by the Board. The Board discussed supplying guidance for staff priorities for the rest of the fiscal year.

Langenheim exited the meeting at 7:38 p.m.

Nudo and Beckett asked for a document with a narrower scope of recommendations including cost factors on the priority items so the Board could allocate its resources. Chavarria said she has no way of finding out how many meetings and revisions staff would need to carry out an amendment and this impacts the cost estimate. It would cost RPC about \$5,000 to perform a cost study on implementing the 200 LRMP priority items. She asked the Board to narrow the list of priority items so she could try to provide some cost estimates. Beckett stated the Board was requesting the Chavarria supply her professional opinion regarding what the real priorities should be and what those cost estimates would be because she is knowledgeable about the planning process. He wanted a smooth transition into the planning process. Beckett supported deferring the item to the June agenda so Chavarria could provide the appropriate documentation.

**MOTION** by Beckett to suspend the rules; seconded by McGinty. **Motion carried to suspend the rules.**

**MOTION** by Beckett to defer; seconded by McGinty.

Nudo emphasized the County Board should set the priorities, not the County Planner. James suggested Chavarria prepare a short list of high priority items to be accomplished with the remaining hours in the County's Planning Contract for this fiscal year.

Langenheim returned to the meeting at 7:43 p.m.

Jay asked how much the potential budget shortfall would impact implementation of the LRMP. Busey confirmed what is being presented tonight is already incorporated in the FY2010

budget. RPC will know if there will be any adjustment to the FY2011 budget before they commence working on the FY2011 proposal. No recommendation has been brought to the County Board to cut the FY2011 budget at this time.

McGinty supported deferring the issue because the County Board needs to make decisions based on specific recommendations from professionals operating in the County's departments. The Board needs to receive recommendations in writing before the meeting in order to make an informed decision.

Kurtz asked if Chavarria and Hall could condense the list into a recommendation on the most immediate priorities with the estimated costs attached by the June meeting. Chavarria confirmed she had a priority list ready and would have something to the Board for the next meeting. She reiterated the costs the Board is asking for are impossible to quantify because of the number of meetings that might be required for any single ordinance change. The majority of the priorities are ordinance changes. In her opinion, a cost estimate is a waste of time. She believed she should provide the Board with recommendations and the Board should let staff spend money as well as they can. Staff would then stop working on the priorities when the money runs out. She would provide the requested information, but did not think it would be dependable.

Michaels felt the Board was looking for the cost estimates as a guideline, not necessarily as an exact figure. She would like to see the list based on priorities because she felt some of the 700 hours will need to be cut.

**Motion carried to defer with unanimous support.**

### **Monthly Report**

**MOTION** by Beckett to receive and place on file the April 2010 monthly report; seconded by Langenheim. **Motion carried with unanimous support.**

### **Other Business**

#### **Semi-Annual Review of Closed Session Minutes**

**MOTION** by Knott for an all closed session minutes to remain closed based on the advice of the County's legal counsel; seconded by Kurtz. **Motion carried.**

### **Chair's Report**

There was no Chair's report.

### **Designation of Items to be Placed on County Board Consent Agenda**

No agenda items were designated for the consent agenda.

**ADJOURNMENT**

**MOTION** by Ammons to adjourn; seconded by Kurtz. **Motion carried with unanimous support.**

The meeting was adjourned at 8:03 p.m.

Respectfully submitted,

Kat Bork  
Administrative Secretary

*Secy's note: The minutes reflect the order of the agenda and may not necessarily reflect the order of business conducted at the meeting.*