

# CHAMPAIGN COUNTY BOARD COMMITTEE OF THE WHOLE MINUTES

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**Highway & Transportation/County Facilities/Environment & Land Use**

**Tuesday, January 11, 2011**

**Lyle Shields Meeting Room, Brookens Administrative Center**

**1776 E. Washington St., Urbana, Illinois**

**MEMBERS PRESENT:** Christopher Alix, Carol Ammons, Jan Anderson, Astrid Berkson, Thomas Betz, Stephanie Holderfield, Stan James, John Jay, Alan Kurtz, Ralph Langenheim, Brendan McGinty, Alan Nudo, Steve O'Connor, Patsi Petrie, James Quisenberry, Michael Richards, Giraldo Rosales, Jonathan Schroeder, C. Pius Weibel

**MEMBERS ABSENT:** Ron Bensyl, Lloyd Carter, Lorraine Cowart, Brad Jones, Greg Knott, Diane Michaels, Steve Moser, Larry Sapp

**OTHERS PRESENT:** Jeff Blue (County Engineer), Kat Bork (Administrative Assistant), Deb Busey (County Administrator), John Farney (County Clerk's Office), John Hall (Planning & Zoning Director), Susan Monte (RPC County Planner), Alan Reinhart (Facilities Director)

## **CALL TO ORDER**

Weibel called the meeting to order at 6:08 p.m.

## **ROLL CALL**

Busey called the roll. Alix, Ammons, Anderson, Berkson Betz, Holderfield, James, Jay, Kurtz, Langenheim, McGinty, Nudo, O'Connor, Petrie, Quisenberry, Richards, Rosales, Schroeder, and Weibel were present at the time of roll call, establishing the presence of a quorum.

## **APPROVAL OF MINUTES**

**MOTION** by Betz to approve the Committee of the Whole minutes of December 7, 2010; seconded by Rosales. **Motion carried with unanimous support.**

## **APPROVAL OF AGENDA/ADDENDA**

**MOTION** by Betz to approve only the agenda; seconded by Langenheim.

Ammons wanted to be sure the motion did not include approving the addendum. Weibel confirmed that was correct.

**Motion carried with unanimous support.**

## **PUBLIC PARTICIPATION**

Bruce Stickers, who works with the Champaign County Soil & Water Conservation District, wanted to address the proposed update of the site assessment portion of land evaluation, pursuant to the Land Resource Management Plan (LRMP). He stated the Soil & Water Conservation District produces a resource report for the County's Planning & Zoning Department when anyone wants to construct a project or subdivision in the county or cities. The County performs the site assessment to rate a construction project. He noted the system has never been reviewed since it was put into place in February 1984. The Soil & Water Conservation District Board has included improving the system in their work plan every year and every year it has not been done. Stickers wanted the County Board to direct the RPC to do this and that he participate on the panel.

O'Connor entered the meeting at 6:13 p.m.

Stickers said the their Soil & Water Conservation District Board was willing to name a person from their board to also serve on the panel when they know the review will actually go forward. The Soil & Water Conservation District Board was willing to cooperate in any way requested by the County Board.

## **COMMUNICATIONS**

Weibel reminded the Board that this Friday is the County-Wide MLK Celebration taking place at the Hilton Garden Inn in Champaign at 4:00 p.m. The event is free to everyone.

Anderson commented the Nursing Home Board of Directors meet yesterday and learned the Nursing Home's is \$233,000 positive for closing out the year. The average census was 196.5 for the year.

James said a meeting was held at the Champaign-Urbana Public Health District (CUPHD) about the Cherry Orchard Apartments situation near Thomasboro. Board members can contact CUPHD Administrator, Julie Pryde, if they want more information.

Ammons exited the meeting at 6:17 p.m.

## **HIGHWAY & TRANSPORTATION**

### **Monthly Reports**

#### **County & Township Motor Fuel Tax Claims – December 2010**

**MOTION** by Langenheim to receive and place on file the County & Township Motor Fuel Tax Claims for December 2010; seconded by James. **Motion carried with unanimous support.**

**County Engineer**

**Resolution for the Improvement of County Highways 11 & 32 Section #10-00429-00-RS**

Blue explained the resolution concerns the road that runs from Thomasboro straight east, then turns north and goes to Gifford, up to Route 136, and then continues north up to County Road 9. The plan is to mill and overlay 15.5 miles of the road. This is a federal aid project and the Highway Department has also applied for funding through the Truck Access Route Program, via the TARP, to upgrade the road to support 80 pound trucks. It will be bid in June 2011 and likely constructed in July/August. Blue has a meeting tomorrow morning with the Gifford Mayor about also performing some road improvements through Gifford during this project.

Blue asked that the resolution be amended to read \$800,000 instead of \$600,000 from the County's allotment of Motor Fuel Tax funds. The total project cost is estimated at \$4 million, with \$3.2 million coming from the federal government. The TARP funding will cover the \$800,000 if the application is successful.

Ammons returned at 6:20 p.m.

**MOTION** by Kurtz to approve the Resolution for the Improvement of County Highways 11 & 32 Section #10-00429-00-RS as amended; seconded by James.

Petrie asked what the Highway Department would do if the TARP money is not granted. Blue confirmed the department has the \$800,000 in its budget to cover the project.

**Motion carried with unanimous support.**

**Resolution for the Improvement of County Highway 18 (Monticello Road) Section #10-00430-00-RS**

Blue explained this resolution would authorize the County Board Chair to sign a joint agreement with IDOT for the improvement of Monticello Road. The majority of the Monticello Road work was done last year. This agreement is for the intersection of Route 45 and Monticello Road. IDOT is working on Route 45 this year and Blue delayed the intersection work to coincide with IDOT's construction. IDOT will do the loops that control the stoplight under their contract. The resolution will also appropriate \$61,000 for the County's share of the project.

**MOTION** by Langenheim to approve the Resolution for the Improvement of County Highway 18 (Monticello Road) Section #10-00430-00-RS; seconded by Holderfield.

Ammons asked what the County is paying for if IDOT is doing the project. Blue explained the \$61,000 will do the work on Monticello Road while IDOT is doing its Route 45 project. O'Connor commended Blue for approaching the project in this manner to avoid any Monticello Road work from having to be redone after IDOT's Route 45 project is complete.

**Motion carried with unanimous support.**

### **Other Business**

Blue was aware there has been some conversation about Olympian Drive and Lincoln Avenue. He informed the Board that he has been working with the Squire family and Jason Barickman, who represents some land owners, as he was directed by the Olympian-Lincoln Special Committee in November. These conversations with landowners have been in an effort to reach a compromise in finding a westerly route for Lincoln Avenue. Blue does not have anything to report to the County Board because he has been in negotiations with the landowners to reach a solution. He feels that he has a good working relationship with the Squire family and Mr. Barickman.

Betz asked if there was a finite time the state funds dedicated to this project would be held. Blue said no state funds were appropriated for the Lincoln Avenue project, all the state funds are appropriated to the Olympian Drive project. These funds are not finite in terms of time. The majority are Illinois Commerce Commission funds to build the bridge over the railroad tracks. These funds are slated for use in 2013. The impetus is to find a terminus for the Olympian Drive project and determine where Lincoln Avenue will be built. Betz asked if it was true the Lincoln Avenue terminus does not have fixed funding at this point in time. Blue answered no. Betz requested a cost estimate. Blue said building Lincoln Avenue will cost about \$4 million. Betz asked where that money will likely come from. Blue answered it would likely be federal aid urban allotments and/or some kind of prospective federal money that the City of Urbana would request.

Nudo was under the impression that the City of Urbana has money they could allocate to Lincoln Avenue and the City could request a change if the state representatives and state senators agreed with it. Blue said that could happen. Nudo noted most of the County Board received a letter from the people affected by the sweeping S alignment that indicated they were willing to compromise if the design is changed. Barickman indicated his clients were amenable to this subject in the negotiations with the Squire family. Blue said they are trying to take it in steps. He is working with Barickman, including a four-hour negotiation session held with two-thirds of the Squire family last week. They agreed in the sessions to make sure everyone is open and willing to make some concessions before they start trying to determine how far the road can be built from Ms. Squire's house. They are diligently working on Step 1 in order to get to Step 2, but Blue does not want to overstep his bounds and push someone the wrong way who may be open to discussions. The February 1<sup>st</sup> deadline may not happen, but Blue confirmed they are working diligently to get an open discussion going about the possibilities.

Alix was sympathetic to the affected landowners, but reminded the Board to take into account that there are not too many parcels in Champaign-Urbana suitable for a rail-served development. He would hope they are attempting to maintain parcels on the west side of any Lincoln Avenue extension that will be large enough for rail-served development in the spirit of compromise. Blue confirmed it takes half a mile away from the railroad bridge to be returned to a level roadway.

Jay asked how much the County is obligated to financially support Lincoln Avenue. Blue said it would be half of the local share. This amount could be anywhere from \$0 to \$2 million.

### **Chair's Report**

Jay advised Board members to drive carefully on the slick roads due to the weather.

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

Agenda items 7.B.1&2 were designated for the consent agenda.

### **COUNTY FACILITIES**

#### **Facilities Director**

#### **Physical Plant Monthly Reports**

Reinhart reminded the Board that this monthly report does not contain the final figures for 2010. The final numbers will be provided next month.

**MOTION** by Jay to receive and place on file the Physical Plant November 2010 monthly reports; seconded by Kurtz. **Motion carried with unanimous support.**

#### **202 Art Bartell Rd. Project Update**

Reinhart stated the super structure is complete. Installation of the roof was scheduled to start today, but was delayed due to the snow. The steel structure was delivered on schedule, but they are a little behind on the concrete flatwork because of the cold snap. They plan to make up the work and the project is on schedule.

Nudo asked if the construction crew would use blankets to protect the structure while construction is underway. Reinhart confirmed they are using blankets on the installed footing work and will heat what will be the office areas to begin construction.

#### **History of Champaign County Energy Audits and Projects**

**MOTION** by Ammons to receive and place on file the History of Champaign County Energy Audits and Projects; seconded by Petrie.

Petrie appreciated having the history and asked why proposals were rejected in 2004 and 2006. Reinhart believed the simple answer was that those recommendations were very cost prohibitive and the County does not have the support staff to maintain its own power lines.

**Motion carried with unanimous support.**

### East Campus Storm Water Update

Reinhart had a meeting with Tom Berns and Bill Clancy from Berns Clancy & Associates. They have identified the minimum amount of work they think will be necessary to satisfy the City of Urbana. They also looked at storm water planning for the next five to ten years. There will be a meeting this week with the City of Urbana Planners to make sure they are in agreement on the minimum requirements before designing a package to put out for bids.

Betz asked if Reinhart would request three different levels of proposals for the minimum work, the five-year outlook, and the ten-year outlook so the Board could select which type of plan they prefer. Reinhart thought he could put that together with some estimates in current dollars. Figures on future planning can change because future prices are unknowable. Betz asked if the Board wanted to receive the three levels of proposals to evaluate long-range planning versus financial possibilities.

Petrie remarked that she sent information about work Jim Pagac has done to Betz and asked Reinhart to comment. Reinhart confirmed Betz had forwarded him the information and explained he has not had a chance to review it yet. Petrie wanted him to look at it because Pagac has been brought into the community by the City of Urbana and could offer an alternative approach to storm water management that may reduce costs. She would be happy to work with Reinhart on getting information about this and bringing Pagac back into the community.

Richards wanted to receive the multiple level proposals as described by Betz to give the Board different options with the East Campus storm water construction.

Busey explained she was participating in the City of Urbana's storm water site management project and has seen the presentations Petrie was referring to. When the County meets with the City of Urbana, the City could provide their ideas on storm water management options that the County may want to consider. The County does not have the budget for another outside consultant at this time. They are working with Berns Clancy because that firm is the most familiar with the campus and brings their expertise on storm water management. She anticipates that she and Reinhart would bring a range of options to the Board.

Betz wondered if they wanted to anticipate building an addition to the County Jail or other potential buildings in the storm water management project. Nudo agreed this type of project could be phased. Since the project was bonded, he asked Busey how much was in the budget for this portion of the project. Busey said there was about \$400,000-\$450,000 in the budget for the storm water management part of the project. Langenheim liked the idea of anticipating future needs because the County's history with Physical Plant projects has been penny-wise and pound-foolish. Petrie understood the County is employing Berns Clancy & Associates, but she wanted to bring in another consultant to look at another design that could be done for less money. Richards suggested having a study session at some point to review the proposals for this project before a decision has to be made. Betz was getting a sense of the body that people wanted to look at alternatives and consider long-range planning when Reinhart returned with options.

**Notice to Proceed – Illinois Dept of Commerce & Economic Opportunity – Installation of High Efficiency Lighting at Brookens**

This item was provided for information only. Reinhart stated they applied for this grant in addition to the block grant from RPC to improve the lighting at the Brookens Administrative Center.

**Chair's Report**

Betz said he was enjoying working with Reinhart. He recommended new members set up a time with Reinhart for a tour of County facilities.

**Other Business**

There was no other business.

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

No items were designated for the consent agenda.

**ENVIRONMENT & LAND USE**

**Direction to Zoning Administrator Regarding Proposed Increase of Zoning Ordinance, Subdivision Regulations, and Selected Other Related Fees Pursuant to LRMP Priority Item 3.1B**

**MOTION** by Anderson to proceed with the direction to the Zoning Administrator regarding proposed increase of Zoning Ordinance, Subdivision Regulations, and selected other related fees pursuant to LRMP Priority Item 3.1B; seconded by Rosales.

Monte said this was a proposed 8% increase to the Zoning Ordinance fees associated with planning. The increases are consistent with the Consumer Price Index increases and it has been about nine years since the last significant zoning fee increase. Hall added they are also proposing a specific change for the maximum fee. The current maximum fee for any single structure is \$1,500 because they believe this covers the costs on most one or two-family residences. However, the County absorbs much more unfunded costs on commercial buildings. The change would double the maximum fee up to \$3,240 per structure. A builder would only pay this amount if the review requires that amount of work. Commercial buildings require more review on complicated issues and coordination with the cities due to annexations agreements. The County absorbs a lot of costs for commercial buildings and would continue to do so; the fee increase would only lessen the unfunded amount. Hall did not think the fee increases were unreasonable as people are not being asked to pay more than it costs to perform the review. Champaign County's fees were compared with other counties' fees. The County no longer permits in the subdivisions and the department is incurring a lot of costs in the rural areas. This increase would simply reduce the amount the County is losing and would not be a big revenue generator.

Richards inquired if the fee increases would cover the department's cost of providing the service. Hall answered that the increases proposed would still not recapture all of the County's costs. These are the costs to ensure compliance with the regulations. Monte supplied an example based on the September 2010 revenue of \$3,499. The rate increase would only have generated \$230 more revenue. Richards asked how much of the cost is left unfunded even after the fee increases. Hall acknowledged that was difficult to estimate. On a zoning case, the County is paying for the legal advertisement of about \$100. The fee is probably not even covering the cost to prepare the first memorandum to the Zoning Board of Appeals. Richards asked if this was a one-time fee increase and Hall confirmed that was correct.

James did not think the length of time that has passed since the last increase justified raising the fees and felt this increase could deter people from building. He would rather see the County be friendlier to those coming in and not worry about what we are taking in until a later date. Nudo opposed increasing the fees until the economy recovers and argued that fees are raised when a government desires to slow down a certain type of business. The commercial builders will increase the County's property tax base, thereby bringing in additional revenue. He felt this action was being suggested at the wrong time because the County's permitting is substantially down.

**MOTION** by Nudo to defer this item until next year; seconded by Jay.

Holderfield thought this increase would discourage construction and builders would simply pass the costs onto consumers. She did not think it was the current consumers' problem that the fee has not been raised fees in nine years.

Weibel called for a point of order that discussion should be only about the motion to defer. The Board discussed deferring the item and fees keeping pace with the cost of providing services. Langenheim called the question. Nudo requested at roll call vote.

**Motion to defer failed with a vote of 7 to 12.** Holderfield, James, Jay, McGinty, Nudo, O'Connor, and Schroeder voted in favor of the motion. Alix, Ammons, Anderson, Berkson, Betz, Kurtz, Langenheim, Petrie, Quisenberry, Richards, Rosales, and Weibel voted against the motion.

**MOTION** by Weibel to amend the original motion to enact half the recommended fee increase (4%) this year and the other half (4%) next year; seconded by James.

The Board discussed taxpayers subsidizing the building industry versus the property tax revenue generated by commercial buildings and whether an increase in fees would deter builders.

Langenheim called the question, stating the comments from Board members had become repetitive. Schroeder objected to closing discussion over the issue because one of the purposes of the Committee of the Whole meetings was to allow members the opportunity to speak about the issues. Discussion continued over the increase the fees to recover the cost of staff time spent on the permitting.



McGinty exited the meeting at 7:22 p.m. and returned at 7:23 p.m.

Langenheim requested a roll call vote.

**Motion carried to amend to original motion with a vote of 10 to 9.** Alix, Ammons, Anderson, Berkson, Betz, Kurtz, Langenheim, Quisenberry, Schroeder, and Weibel voted in favor of the motion. Holderfield, James, Jay, McGinty, Nudo, O'Connor, Petrie, Richards, and Rosales voted against the motion.

Hall said if the amended motion is approved, then he would proceed to the ZBA and this would come back to the County Board as a text amendment. Nudo asked Hall to provide information on the actual costs and Kurtz concurred with the request. Alix noted it would be helpful to see information about what it costs to have staff provide a service when the Board is asked to raise fees.

Langenheim requested a roll call vote.

**Motion carried to approve the motion as amended with a vote of 13 to 6.** Alix, Ammons, Anderson, Berkson, Betz, James, Kurtz, Langenheim, Quisenberry, Richards, Rosales, Schroeder, and Weibel voted in favor of the motion. Holderfield, Jay, McGinty, Nudo, O'Connor, and Petrie voted against the motion.

**Direction to CCRPC Planner Regarding Proposed Update of the Site Assessment Portion of the Land Evaluation and Site Assessment (LESA) System Pursuant to LRMP Priority Items 4.5a and 4.5b**

**MOTION** by Anderson to direct the RPC Planner regarding the proposed update of the site assessment portion of the Land Evaluation and Site Assessment (LESA) System pursuant to LRMP Priority Items 4.5a and 4.5b; seconded by Richards.

Langenheim and Betz exited the meeting at 7:32 p.m.

In answer to James's question, Monte confirmed this update was not related to the soils component of the LESA score. Holderfield requested a study session over this item because so much information was involved. Monte explained that a February 25<sup>th</sup> study session was already built into the process when the committee being proposed is formed.

Langenheim returned at 7:35 p.m.

Nudo asked how much of the Planning Contract's budget would be spent on this item. Monte answered that it appears in the 2010 work plan and 2011 work plan. The amount in the 2011 work plan was 220 hours or \$11,000 in staff time.

Betz returned at 7:36 p.m.

Nudo asked whether this will have any effect on taxation. Monte said there was no taxation effect that she was aware of. This is a site specific tool to rate the agricultural value of a parcel during the discretionary review process by the ZBA. Nudo was trying to determine what the County was trying to achieve with this process. Monte said it is a tool that needs to be fine-tuned and updated on a regular basis, but it has been 26 years since they have looked at this part. Nudo and Monte debated the date of the study session with Nudo wanting the item on the County Board's February 1<sup>st</sup> study session agenda. He asked if the Farm Bureau had any input. Kurtz, who sits on the Farm Bureau's Land Use Committee, did not recall any objections to this proposal. The Board discussed the committee and ten month process covered by the motion to give the Planner direction for this item, in addition to the benefits of a study session.

**MOTION** by James to have a study session before moving forward with this item.

Weibel called for a point of order because the motion as stated by James has no priority over the motion on the floor. He suggested James make a motion to defer or amend the motion. Discussion was held over what type of motion would be appropriate.

**MOTION** by James to defer this item to the February 8<sup>th</sup> Committee of the Whole meeting and place the topic on the February 1<sup>st</sup> study session agenda for discussion; seconded by Rosales.

Kurtz noted there are already three items on the February 1<sup>st</sup> study session and asked if the Board wanted to move this item to the next County Board study session on March 29<sup>th</sup>. Nudo said it was not his intention to interfere with Monte's timeline for this issue. The Board discussed the items on the February 1<sup>st</sup> study session and whether there would be sufficient time to cover them all. Monte suggested including this item with the three others on the February 1<sup>st</sup> study session agenda and anything the Board could not get through would be moved to March.

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

**Direction to CCRPC Planner Regarding Proposed Champaign County Building Code Feasibility Study Consistent with County Board Resolution No. 7482 and the Approved Energy Efficiency and Conservation Block Grant**

**MOTION** by Langenheim to direct the RPC Planner to proceed with Champaign County Building Code Feasibility Study consistent with County Board Resolution No. 7482 and the approved Energy Efficiency and Conservation Block Grant; seconded by Richards.

The Board discussed what the end product of the feasibility study would be. Monte pointed out the end products of the report and recommendations for the County Board are listed in the agenda packet on Page 73. It is a feasibility study, which is a first step to begin consideration of energy efficiency in a building code. Monte answered Schroeder's questions about the specifics of the study focusing on whatever a building code would cover in the County. This is an information gathering process.

Ammons and Rosales exited the meeting at 7:59 p.m. Weibel exited the meeting at 8:00 p.m. Rosales returned at 8:01 p.m.

Schroeder asked if there would be both county and state energy efficiency standards. Monte said she would have to do research to answer his question. She assumed there were some state standards out there because grant money was awarded to look into ways of incorporating those standards.

Weibel returned at 8:02 p.m.

Nudo inquired about the County's obligations. Hall stated that on July 1st the County has to have certification that construction meets the international building code. This is a state statute. Hall added the County is only authorized to approve broad codes. He does not know how the international code compares to the state's energy efficiency standards. Nudo said the County needs to know what other entities require of builders and developers. He was worried about adding another level of cost for builders.

Ammons returned at 8:06 p.m.

The Board continued to discuss the feasibility study and the future impact it may have. Betz requested a roll call vote.

**Motion carried with a vote of 16 to 3.** Alix, Ammons, Anderson, Berkson, Betz, James, Kurtz, Langenheim, McGinty, Nudo, Petrie, Quisenberry, Richards, Rosales, Schroeder, and Weibel voted in favor of the motion. Holderfield, Jay, and O'Connor voted against the motion.

### **Monthly Report**

The December 2010 monthly report was distributed at the Board's desks. Hall announced the Planning & Zoning Department is short one Associate Planner. He hopes to hire a new Planner at the end of the three-month period required by the hiring freeze who could help with both planning and enforcement.

**MOTION** by McGinty to receive and place on file the December 2010 monthly report; seconded by Ammons. **Motion carried with unanimous support.**

### **Other Business**

A Redistricting Commission meeting is scheduled for tomorrow at 7:00 p.m.

### **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.

**ADDENDUM**

**Recommendation for Amendment to the FY11 County Planning Contract Work Plan**

The addendum (which contained this item) was not approved at the beginning of the meeting.

**APPROVAL OF CLOSED SESSION MINUTES**

**MOTION** by Betz to approve the Committee of the Whole closed session minutes of October 5, 2010; seconded by McGinty. **Motion carried with unanimous support.**

**ADJOURN**

The meeting was adjourned at 8:15 p.m.

Respectfully submitted,

Kat Bork  
Administrative Assistant

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