

# CHAMPAIGN COUNTY BOARD COMMITTEE OF THE WHOLE MINUTES

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**Environment & Land Use /County Facilities/Justice & Social Services**

**Thursday, April 7, 2011**

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

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

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

**MEMBERS ABSENT:** Lloyd Carter, Lorraine Cowart, Brad Jones

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

## **CALL TO ORDER**

Weibel called the meeting to order at 6:04 p.m.

## **ROLL CALL**

Bork called the roll. Alix, Ammons, Anderson, Bensyl, Berkson, Betz, Holderfield, James, Jay, Kurtz, Langenheim, McGinty, Michaels, Moser, Nudo, Petrie, Quisenberry, Richards, Rosales, Sapp, Schroeder, and Weibel were present at the time of roll call, establishing the presence of a quorum. Weibel stated that Cowart had previously informed him she would not attend tonight's meeting.

## **APPROVAL OF MINUTES**

**MOTION** by Ammons to approve the Committee of the Whole minutes of March 1, 2011; seconded by James.

O'Connor entered the meeting at 6:05 p.m.

**Motion carried with unanimous support.**

## **APPROVAL OF AGENDA/ADDENDA**

**MOTION** by Ammons to approve the agenda; seconded by Rosales. **Motion carried as amended with unanimous support.**

## **PUBLIC PARTICIPATION**

Scott Cook voiced his concerns about proposed zoning changes and required lot sizes to build a home. He felt the changes would force people to live in Champaign-Urbana because no one could afford to purchase 40 acres at \$10,000 per acre.

Mark Thompson distributed a flyer to the County Board with questions about big.small.all and suggested the Board talk to their attorney about a notice he previously gave them. He continued to speak about his objections to the Land Resource Management Plan.

Roger Armstrong asked the County Board to not change its zoning regulations and about the County Board's history of inequities in applying its own zoning laws regarding the floodplain.

Arna Leavitt stated her opinion that the County Zoning Ordinance interferes with her rights and freedoms as a landowner.

Jeff and Nichole Peck encouraged the Board to approve the one lot Swanson Subdivision so they can purchase the Swanson home.

Jeff Tock, representing the Swanson Trust, urged the Board to approve the Swanson Subdivision so the owner of the property can sell the existing single family home. To make this sale, the trust needs the Board's approval to carve out one acre from the other ninety acres.

Eric Thorsland, ZBA Chair, spoke about his involvement in the zoning process and public involvement in the open meeting process.

Weibel closed public participation after confirming no one else wanted to speak.

## **COMMUNICATIONS**

Weibel announced he had 13 copies of the Illinois Municipal Guide for any interested Board member. Petrie announced a green infrastructure conference on April 13<sup>th</sup> at the I-Hotel. McGinty drew the Board's attention to the two documents at their desks concerning the work in progress by Strategic Planning Committee. This is on next week's agenda. He thanked Busey for putting together the updated information.

**ENVIRONMENT & LAND USE**

**Final Recommendation to County Board for Zoning Ordinance Amendment**

**Request to Amend Champaign County Zoning Ordinance. Zoning Case 675-AT-10 Petitioner:  
Champaign County Zoning Administrator**

**MOTION** by Betz to amend the County Zoning Ordinance per Zoning Case 675-AT-10; seconded by Schroeder.

Hall stated there was no municipal protest concerning this amendment.

**Motion carried with unanimous support.**

**Subdivision Recommendation to County Board**

**Subdivision Case 196-11: Swanson Subdivision Final Plat Approval of a One-Lot Subdivision  
(For an Existing Home) with Necessary Waivers**

**MOTION** by Betz to approve the Swanson Subdivision Final Plat with the necessary waivers; seconded by Anderson.

Weibel asked for the location of the property. Hall explained it is 800 feet west of Gifford. Schroeder noted the map shows where two other parcels besides Swanson's home have been taken out. Hall stated those parcels were taken out prior to 1991.

**Motion carried with unanimous support.**

Weibel exited the meeting at 6:32 p.m.

**Direction to Zoning Administrator Regarding Proposed Zoning Ordinance Text  
Amendments**

**Request to Amend the Champaign County Zoning Ordinance to Implement Land Resource  
Management Plan Policies 4.1.5, 4.1.7, & 4.1.9**

**MOTION** by Ammons to approve direction to the Zoning Administrator regarding proposed Zoning Ordinance amendments to implement LRMP Policies 4.1.5, 4.1.7, & 4.1.9; seconded by Langenheim.

Schroeder inquired what exactly Ammons was moving with her motion. Ammons said it was to give direction to the Zoning Administrator.

**MOTION** by Schroeder to approve the compromise language set forth for Policies 4.1.,5 4.1.7, and 4.1.9; seconded by Ammons.

Holderfield asked about the compromise and what exactly the motion would do. Hall said Schroeder's motion is to move forward with the ZBA public hearing and the compromise was a change to make all by-right development subject to the limit on best prime farmland. Hall

recommended the Board also make a motion for the County Board to approve the compromised Policy 4.1.5 this month because it is the policy driving the amendment.

Weibel returned to the meeting at 6:35 p.m.

Holderfield was not in favor of the change, especially after hearing objections during public participation. Hall explained the ZBA hearing process in answer to Holderfield's question.

The Board discussed the changes the proposed amendment would make to the Zoning Ordinance and overall zoning in Champaign County.

McGinty called for a roll call vote. Discussion continued over the amendment.

**Motion failed with a vote of 9 to 14.** Ammons, Anderson, Berkson, Betz, Kurtz, Langenheim, Richards, Schroeder, and Weibel voted in favor of the motion. Alix, Bensyl, Holderfield, James, Jay, McGinty, Michaels, Moser, Nudo, O'Connor, Petrie, Quisenberry, Rosales, and Sapp voted against the motion.

### **Pending Legislation**

#### **Request for Letter of Support for Senate Bill 2195/HB 3372 County Storm Water Bill**

**MOTION** by Langenheim for the County Board Chair to send a letter of Support for Senate Bill 2195/HB 3372 County Storm Water Bill; seconded by Quisenberry.

Holderfield had some concerns with bill and spoke to Representative Jason Barickman, who is against it. She was told the actual author of bill is rewriting it, so this is not the final version. Nudo wondered why the Board should support legislation which would add taxation and further discourage businesses from coming to Illinois. Rantoul has this storm water tax and it is onerous, so Nudo would not support this legislation. Petrie thought it was premature to send a letter of support if the language of the bill is not yet finalized. Weibel stated the Board could send a letter at any time. James asked Weibel why he was requesting a letter of support for this matter. Weibel said he has not voiced his opinion on this issue. He just agreed to put this matter on the agenda.

Michaels exited the meeting at 7:14 p.m.

**MOTION** by Rosales to see final draft of the bill before any motion is taken by the County Board. Weibel called for a point of order because the motion indicated no definite time when it would be taken up for action. **Kurtz ruled Rosales's motion was out of order.**

**MOTION** by Quisenberry to table this item; seconded by McGinty.

The Board continued to discuss the legislation's impact. Ammons called for a point of order because the motion on the floor was to table. Betz stated a motion to table is not subject to discussion.

**Motion carried to table.**

Letter of Opposition to House Bill 1626 (Establishing Protest Rights for County Board Special Use Permits)

**MOTION** by Betz for the County Board Chair to send a resolution of Opposition to House Bill 1626 (Establishing Protest Rights for County Board Special Use Permits); seconded by Holderfield.

McGinty exited the meeting at 7:19 p.m.

Ammons asked Hall if this would disallow an individual from protesting their neighbor's wind farm. Hall said the bill is to allow protest rights that currently do not exist. He thought this would be detrimental to the zoning process. Weibel questioned why Hall was asking for a resolution instead of a letter. Hall just wanted the County Board to be aware of this legislation and its great potential impact on the Zoning Ordinance. Sending a resolution at the end of April would not cause a timing problem.

Michaels returned to the meeting at 7:20 p.m.

**Motion carried with unanimous support.**

**Monthly Report**

The monthly report was distributed to the Board.

**Other Business**

McGinty returned at 7:22 p.m.

Betz asked where the Board goes from here on the defeated item C.1. The Board discussed the issue until Jay called for a point of order because the issue had been considered and voted down.

**Chair's Report**

There was no Chair's Report.

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

Agenda items. were designated for the consent agenda.

## **COUNTY FACILITIES**

### **Facilities Director**

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

Reinhart noted a couple of reports had been added to the monthly reports.

Weibel asked about efforts started a year or two ago to try and reduce the County's electrical power usage by a certain amount. Alan said the goal was an expense of 50 cents per square foot. He will report on that subject in a month or two

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

#### **Brookens Energy Lighting Retrofit Project Update**

Reinhart directed the Board to Pages 81-84 of the agenda packet as samples of the January billing. Work has been completed in PODs 100 and 200. The Physical Plant is starting to bill the grants to receive reimbursement for the lighting retrofit. The energy grant will finish on May 15<sup>th</sup> and the community block grant has another year to go.

Kurtz exited the meeting at 7:27 p.m.

Petrie questioned if the project's grants were sufficient to cover all involved costs. Reinhart said they were not. The grants may pay for up to 80% of the costs. Petrie asked how much the remaining 20% would cost the County. Reinhart estimated the dollar amount would approximately be between \$10,000 and \$15,000.

**MOTION** by Rosales to receive and place on file the Brookens Energy Lighting Retrofit Project Update; seconded by Ammons. **Motion carried with unanimous support.**

#### **Update – ILEAS Roof Project**

Reinhart announced the 1971 addition roof is complete. He was waiting for the contractor to finish the punch list to close out the project.

#### **202 Art Bartell Construction Project**

##### **Project Update**

Reinhart said the builders have been working on the exterior of building. They are being held up by utilities companies that should bury the gas lines. The office areas and framing are complete. It should be finished close to April 22<sup>nd</sup>.

#### **Monthly Project Budget Report**

Busey stated the project budget was on target.

Update Regarding RFQ 2011-005

Busey announced that five responses had been received. The evaluation team has completed their individual evaluations and will meet tomorrow to determine a short list of candidates. A recommendation will be brought to the full Board after interviews take place. Betz has asked Sapp to attend the interviews in his place.

Request from Coroner for Changes to Facility

Reinhart said he noticed an issue in the preconstruction meeting with users of the new building and the general contractors. One of Coroner's requests was to add a commercial style exhaust fan and this was not installed in the building even though the general contractor said they would install it. Reinhart looked at the specs and realized this is just a bathroom style exhaust fan and would be insufficient for the Coroner's needs. Hence, the request to upgrade the exhaust fan is being presented to the Board. Weibel asked if two fans are needed or just one bigger fan. Reinhart said one larger fan has to be installed for both rooms. The fan will be on the roof. Northrup explained the other issue with the facility and how he wanted to upgrade the sink to allow autopsies to take place at the facility.

Weibel exited the meeting at 7:35 p.m.

Richards asked why the sink was not in the original plans if performing autopsies in the facility was a great idea, as the Coroner indicated. Busey explained the item was before the Board because the wrong size exhaust fan was designed for room. The Coroner is making a separate request to expand the use of the facility. Northrup said it came to his attention during the facility construction that the sink is the only thing lacking in new building to perform autopsies. He provided figures on the costs of buying and installing the upgraded sink compared to what is spent on autopsy fees, travel, and staff costs by his office.

Weibel returned to the meeting at 7:36 p.m.

Northrup stated the office already has an autopsy table and the sink was the only other equipment needed. Because the sink is specific for autopsies, the plumbing lines would have to be changed for it to be used. Northrup felt his office could save the money it currently spends traveling to McLean County for autopsies.

Bensyl exited the meeting at 7:40 p.m.

Northrup explained the sink costs almost \$17,000 and the contractor costs were an additional \$7,038. He has money in his department budget to cover the expense so there would be no extra costs to the General Corporate Fund. He felt there would be savings in future years by not going out of the county for autopsies.

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

The Board discussed the costs involved with the request. Petrie asked how such a design mistake, as the exhaust fan, could happen and how will they learn from it. Northrup said it was not in the original building plans to make the space autopsy capable.

Alix asked how the change would occur and if it would need a budget amendment. Busey explained the existing project budget has the ability to pay for the change order and exhaust fan. She is having a discussion with the Auditor's Office regarding whether the sink can be paid for out of the Coroner's budget. The County Administrator typically had the authority to execute change orders like this is for a building project, but it was not realized such authority would be needed with a design/build project.

**MOTION** by Alix to authorize the County Administrator to execute the change order necessary for the upgrades to the facility for the Coroner; seconded by Rosales.

James was upset that Roessler Construction was charging a 10% markup when the exhaust fan was their mistake. He was in favor of having an autopsy room to save money but did not want to pay the markup.

Jay had reservations about buying the sink and going into the autopsy business because there were not a lot of cost savings shown when this idea was considered in the past. Most morgues are not cost effective, and he did not think the County needs to take on another non-profitable operation.

Nudo said he needed to abstain from the vote.

The Board continued to discuss the request from the Coroner. Quisenberry called the question.

**Motion carried with roll call vote of 20 to 2 with 1 abstention.** Alix, Ammons, Anderson, Bensyl, Berkson, Betz, Holderfield, James, Kurtz, Langenheim, McGinty, Michaels, Moser, O'Connor, Petrie, Quisenberry, Richards, Rosales, Sapp, and Schroeder voted in favor of the motion. Jay and Weibel voted against the motion. Nudo abstained from voting.

### **Chair's Report**

There was no Chair's report.

### **Other Business**

Betz asked Reinhart to talk about the Courthouse ornamentation that was damaged in the storm.

Alix exited the meeting at 7:57 p.m.

Reinhart confirmed there was no other damage to the Courthouse roof other than the spire that snapped off and was held to the roof by a wire. The spire was taken to the Gill Building to be inspected by the insurance company and an independent structural engineer. The insurance company is investigating the failure of the spire. The County has a two-year warranty on the roofing system starting in June 2010, so it is still under warranty. Whether this item is covered under the warranty is to be determined.

Ammons exited the meeting at 7:58 p.m. Alix returned to the meeting at 7:59 p.m.

Betz requested a rough estimate to reinstall the spire decoration. Reinhart estimated it would likely cost in the upper \$20,000 range.

Ammons returned to the meeting at 8:01 p.m.

Betz inquired if there were any structural problems without the spire topper. Reinhart answered there was no problems because the spire was ornamental. They put a rubber cap on the top when the structure was taken down.

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

No items were designated for the consent agenda.

### **JUSTICE & SOCIAL SERVICES**

#### **Monthly Reports**

**MOTION** by James to receive and place on file the Animal Control February 2011, Emergency Management Agency February 2011 & March 2011, Head Start March 2011, Probation & Court Services February 2011, and Public Defender December 2011 monthly reports; seconded by Holderfield.

Rosales asked if the cities were paying animal euthanasia fees. Richards could not answer the question. Busey explained the cities have specific contracts with the County for services they will pay for, such as animal impoundment.

**Motion carried with unanimous support.**

#### **Other Business**

There was no other business.

#### **Chair's Report**

Richards spoke about the Citizens Advisory Committee on Jury Selection. Schroeder asked if the PSAs were still being run and Richards did not think they were. The participation rate for juries was not near what the courts wanted.

Petrie stated the Management Performance Associates contract was coming up for renewal as a point of information. Busey said that item will be under Finance and likely coming in May.

Weibel stated one Democrat and one Republican Board member were needed for the Site Assessment Update Committee. Interested members should email him.

**ADJOURN**

The meeting was adjourned at 8:09 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.*