

MINUTES OF REGULAR MEETING

Champaign County Environment & Land Use Committee	DATE:	October 13, 2009
Champaign County Brookens Administrative Center Urbana, IL 61802	TIME:	7:00 p.m.
	PLACE:	Lyle Shields Meeting Room Brookens Administrative Center 1776 E. Washington Street Urbana, IL 61802

MEMBERS PRESENT: Jan Anderson, Brad Jones, Ralph Langenheim, Steve Moser, Barbara Wysocki (C)

OTHER COUNTY BOARD MEMBERS PRESENT:

Pius Weibel

MEMBERS ABSENT: Carol Ammons, Chris Doenitz, Alan Kurtz (VC), Jon Schroeder

STAFF PRESENT: John Hall, Lori Busboom, James R. Knight, Debra Busey, Susan Monte, Susan Chavarria, Andrew Levy

OTHERS PRESENT: Eric Thorsland, Hal Barnhart, Herb Schildt, Sherry Schildt, Mike Tague, Kirk Builta

I. Call to Order

The meeting was called to order at 7:01 p.m.

II. Roll Call

The roll was called and a quorum declared present.

III. Approval of Agenda/Addendum

Mr. Langenheim moved, seconded by Ms. Anderson to approve the agenda as submitted. The motion carried by voice vote.

1 **IV. Approval of Minutes**

2
3 **A. August 10, 2009**

4
5 **Ms. Anderson moved, seconded by Mr. Langenheim to approved the August 10, 2009 minutes.**

6
7 Mr. Langenheim noted that there were a few minor changes to the minutes, however, they were grammatical
8 changes that did not affect the context of the minutes.

9
10 **The motion carried by voice vote.**

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12 **B. September 14, 2009**

13
14 **Mr. Langenheim moved, seconded by Ms. Anderson to approve the September 14, 2009 minutes as**
15 **submitted. The motion carried by voice vote.**

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17 **V. Public Participation**

18
19 Mr. Mike Tague stated that he was the attorney representing the Bateman's in Zoning Case 520-AM-05.
20 He noted that he would be available for questions when that agenda item was called.

21
22 Mr. Kirk Builta stated that he was the information director at the Champaign County Farm Bureau. He
23 distributed a letter from the Farm Bureau which addressed concerns the Board of Directors had with the
24 Land Resource Management Plan.

25
26 Mr. Builta said that the Farm Bureau would like to have two policies added to address drainage and the farm
27 to market transportation. He said that a new policy 7.4.6 should be added to protect and ensure that drainage
28 continues to operate as it should. He said that a new policy 6.2.3 should be added to encourage the
29 maintenance and improvement of the current county road system to promote agricultural production and
30 marketing.

31
32 Mr. Builta said that at the September ELUC meeting, policy 3.1.5 was revised to provide for 1 plus 1 per
33 forty acres with respect to lot creation on farmland. He said that this provision is not the direction the Farm
34 Bureau wants the document to take. He noted that for several years the Farm Bureau has been a staunch
35 supporter for a 1 per forty acre policy and this was also the language that was proposed by the LRMP
36 Steering Committee.

37
38 **VI. Correspondence**

39
40 There was none.

1 **VII. Chair's Report**

2
3 Ms. Wysocki noted that the November ELUC meeting would be preceded by a study session, starting at 6
4 p.m., to discuss the next stage of the LRMP.
5

6 **VIII. Recreation and Entertainment License: Egyptian Collectors Association, Inc. Hunting and**
7 **Trade Shows. Location: Champaign County Fairgrounds, 902-1302 N. Coler, Urbana,**
8 **Illinois, October 17-18, 2009.**
9

10 Mr. Moser moved, seconded by Mr. Jones to approve the Recreation and Entertainment License for
11 the Egyptian Collectors Association, Inc. Hunting and Trade Shows to be held on October 17 and 18,
12 2009 at the Champaign County Fairgrounds, 902-1302 North Coler, Urbana, Illinois. The motion
13 carried by voice vote.
14

15 **IX. Zoning Case 520-AM-05: Gene and Carolyn Bateman. Request to amend the Zoning Map to**
16 **allow for the development of three single family residential lots in the AG-1, Agriculture**
17 **Zoning District by adding the Rural Residential Overlay (RRO) Zoning District. Location:**
18 **Approximately 12.04 acres of an existing 62.20 acre parcel in the E 1/2 of the NW 1/4 of**
19 **Section 29, Newcomb Township, that is currently known as the farm field that borders the**
20 **South side of CR 2600N and the West side of CR 200N.**
21

22 Mr. Moser moved, seconded by Mr. Langenheim to defer action on Zoning Case 520-AM-05 to
23 November 9, 2009.
24

25 Mr. Langenheim commented that it is proper and legitimate to let a motion die for lack of a second. He said
26 that due to low attendance at this meeting it would not be a good idea to let the motion die. He noted that
27 had their been sufficient attendance, he would not have seconded the motion.
28

29 The motion carried by voice vote.
30

31 **X. A. ELUC Approval of Draft Goals, Objectives and Policies, (Stage 2) and the Future Land**
32 **Use Map (Stage 3) for the Land Resource Management Plan**
33

34 Ms. Anderson moved, seconded by Mr. Langenheim to recommend approval of the Draft Goals,
35 Objectives and Policies and the Future Land Use Map for the Land Resource Management Plan.
36

37 Ms. Anderson moved, seconded by Mr. Langenheim to reconsider amending policy 3.1.5 to reflect the
38 1 lot per 40 acre provision as recommended by the LRMP Steering Committee.
39

40 Ms. Anderson stated that if the County Board is serious about protecting best prime farmland the an effort
41 should be made to limit the amount of development in the rural areas. She noted that Champaign County
42 and the surrounding counties have some of the best soils in the United States and it should be protected.

1 Mr. Moser commented that if the County Board is serious about protecting farmland, they would not
2 approve the map amendment requested in Case 520-AM-05.

3
4 Mr. Langenheim said that he would like Mr. Moser to give the Committee a straightforward statement on
5 whether the Committee should or should not vote for this amendment.

6
7 Mr. Moser said that he polled the farmers in his district, approximately 60 to 65 percent of them are not in
8 favor of the 1 per forty provision.

9
10 Ms. Wysocki asked Mr. Moser to expand on his statement. Mr. Moser said that the farmers do not want to
11 lose the rights they currently have. He said that the land is valuable as farmland and most farmers are
12 reluctant to part with it, however, if you get in a situation where you have to sell a lot or two, you want to
13 keep that option. He said that in the case of Zoning Case 520-AM-09, there are already three lots with
14 homes on them and the request is to allow three more. He noted that a lot of the roads in the rural areas are
15 narrow and with the addition of more mailboxes, the farmers have a tough time getting their equipment from
16 one field to another.

17
18 Mr. Moser said that he has never had a problem with one lot being sold off of a parcel, and selling lots off
19 is not going to stop.

20
21 Ms. Wysocki asked whether Mr. Moser's constituents were more concerned with convenience of moving
22 farm machinery than the preservation of farmland. Mr. Moser said that it is not a matter of convenience,
23 it is a matter of having the right to sell their land if they choose to. He said that there is no difference
24 between one home or two. He said that the County is set to approve an RRO for three 3 acre tracts of land
25 that has previously been divided into three 5 acre tracts of land.

26
27 Ms. Anderson said that the graph indicates that there could be more than two parcels divided. Mr. Moser
28 said that the reason he made the motion for 1 plus 1 per forty is to split the difference between one lot and
29 three. Three lots are currently allowed now. One lot has not been acceptable by the ZBA. He said that a
30 Zoning Ordinance rewrite can never be approved with the 1 per forty provision. He said that for twenty
31 years and who knows how many thousands of dollars have been spent trying to pass an updated Zoning
32 Ordinance with no success. He said that this change may be what is needed to get approval on a Zoning
33 Ordinance rewrite.

34
35 Ms. Wysocki noted that the diagram on page 34 indicates that the difference is never any more than one lot.

36
37 Ms. Wyscki stated that she would entertain a motion to defer this item as well to ensure more members
38 could be present to vote on this item.

39
40 Mr. Jones noted that he believed Mr. Schroeder would have more comments on this issue. He said that he
41 agreed with Ms. Wysocki that it would be best to allow the absent members a chance to comment on these
42 issues before moving them on to the full County Board.

1 **Mr. Jones moved, seconded by Mr. Moser to defer approval of the Draft Goals, Objectives and**
2 **Policies and the Future Land Use Map for the Land Resource Management Plan to November 9, 2009.**
3

4 Ms. Susan Monte noted that she had prepared a handout with three proposed revisions to the Draft Goals,
5 Objectives and Policies. She noted that two of the proposed revisions were similar to the Farm Bureau's
6 proposal and the third proposed revision was a clarification of policy 5.1.9 which pertains to joint County
7 and municipal review of discretionary development in the 1 and ½ mile extraterritorial jurisdiction.
8

9 Ms. Wysocki noted that the handout could be distributed to those present and mailed to those who are
10 absent.
11

12 **The motion carried by voice vote.**
13

14 **B. Review of Proposed Implementation Strategy (Stage 4) of the Land Resource**
15 **Management Plan**
16

17 **Mr. Jones moved, seconded by Mr. Langenheim to defer the review of the proposed Implementation**
18 **Strategy of the Land Resource Management Plan to November 9, 2009. The motion carried by voice**
19 **vote.**
20

21 **XI. County Planner Contract for FY 2010 and Completion of the LRMP**
22 *(information to be distributed at meeting)*
23

24 Ms. Chavarria requested this item also be deferred to November 9, 2009.
25

26 **Mr. Jones moved, seconded by Mr. Moser to defer the County Planning Contract for FY 2010 and**
27 **completion of the LRMP to November 9, 2009. The motion carried by voice vote.**
28

29 **XII. Hiring Professional Consultants for Review of Certain Technical Studies for Wind Farm County**
30 **Board Special Use Permits**
31 *(information to be distributed at meeting)*
32

33 **Mr. Moser moved, seconded by Mr Jones to defer the hiring of professional consultants for review**
34 **of certain technical studies for Wind Farm County Board Special Use Permits.**
35

36 Mr. Weibel asked whether this should be deferred with the knowledge of a potential wind farm application
37 that may be affected. Mr. Hall said that he was not going to make a request at this meeting, it was going to
38 be an overview so action can be taken in November.
39

40 **The motion carried by voice vote.**
41
42

1 Mr. Hall said that he had been working with the County Administrator to send out a Request for
2 Qualifications for a wind farm noise consultant. He noted the deadline for initial response was today and
3 three firms with Illinois offices that had been previously contacted submitted proposals. He noted he had
4 not had a chance to review those proposals with the County Administrator.
5

6 Mr. Hall said that he hoped that all three of those firms would move into the next phase which is receipt of
7 an application for a wind farm. He said at that point the consultants will have three weeks to respond with
8 a not to exceed estimate. He said that he would hope to bring those not to exceed estimates to the
9 Committee for review.
10

11 Mr. Hall said that the wind farm developer hopes to submit an application in November. If an application
12 is received by November 9th, 2009, the timing should work out with the public hearings starting in January,
13 2010. He said that if the wind farm developer does not get the application in until after November 9th, then
14 there might be some timing problems if the Committee is going to review the not to exceed estimates before
15 a consultant is designated.
16

17 Mr. Hall noted that one of the proposals received today had a not to exceed estimate that was in the range
18 that was discussed previously.
19

20 Ms. Busey said that the approach that Mr. Hall is taking with regards to selection of a consultant is very
21 professional. She said that the Committee members should understand that under the Champaign County
22 Board's purchasing policy, there is no requirement for Mr. Hall to do this, he is doing his due diligence. She
23 said that when it comes to engaging the Committee's approval of the consultant, it is being done as a
24 courtesy but does not require approval by the Committee or the County Board. She noted that if the timing
25 does not work out, Mr. Hall could make the decision based on information that he receives.
26

27 Mr. Langenheim asked whether a special meeting could be held to consider hiring the consultant if a
28 scheduling problem arises. Ms. Wysocki said the possibility has been raised, however, Ms. Busey's
29 comments suggest that the Committee does not have to be involved in the process.
30

31 Mr. Langenheim stated that with all due respect to Mr. Hall and greater respect to the structure of democratic
32 government, he said that he believed the Committee should be involved.
33

34 Mr. Jones asked what was the not to exceed estimate. Mr. Hall said that between three thousand and five
35 thousand was agreed upon.
36

37 Mr. Jones asked whether avian studies or any other studies were required. Mr. Hall said that he understood
38 that the Committee was not interested in those types of studies so he did not look for consultants to provide
39 those studies. Mr. Hall said that the decommissioning costs that were previously mentioned can be obtained
40 from other counties.
41
42

1 **XIII. Monthly Reports**

2 **A. September 2009**

3 *(information to be distributed at meeting)*

4
5 Mr. Hall noted that he would like to defer this item to November 9, 2009 as well.

6
7 **XIV. Other Business**

8
9 There was none.

10
11 **XV. Designation of Items to be placed on County Board Consent Agenda**

12
13 There was none.

14
15 **XVI. Adjournment**

16
17 **Mr. Langenheim moved, seconded by Mr. Moser to adjourn the meeting. The motion carried by voice**
18 **vote.**

19
20 The meeting adjourned at 7:35 p.m.

21
22 Respectfully submitted,

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25
26
27 Secretary to the Environment and Land Use Committee

28
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