



**Champaign County Board
Environment and Land Use Committee (ELUC)
County of Champaign, Urbana, Illinois**

MINUTES – Approved 3/6/14

DATE: Thursday, January 9, 2014
TIME: 6:30 p.m.
PLACE: Lyle Shields Meeting Room
Brookens Administrative Center
1776 E Washington, Urbana, IL 61802

Committee Members

Present	Absent
	Ralph Langenheim (Chair)
Aaron Esry (Vice Chair)	
	Astrid Berkson
Stan Harper	
Alan Kurtz	
Pattsi Petrie	
Jon Schroeder	

County Staff: Deb Busey (County Administrator), John Hall (Director of Planning & Zoning), Beth Brunk (Recording Secretary)

Others Present: John Jay (Champaign Co Board), Susan Chavarria & Andrew Levy (Regional Planning Commission), Jonathon Manuel (Champaign County Soil & Water Conservation District)

MINUTES

I. Call to Order

In Mr. Langenheim's absence, Mr. Esry as Vice-Chair called the meeting to order at 6:32 p.m.

II. Roll Call

A verbal roll call was taken and a quorum was declared present.

III. Approval of Minutes

A. ELUC Committee meeting – December 5, 2013

MOTION by Ms. Petrie to approve the minutes of the December 5, 2013 meeting as distributed; seconded by Mr. Harper. Upon vote, the **MOTION CARRIED** unanimously.

IV. Approval of Agenda

MOTION by Mr. Kurtz to approve the agenda as distributed; seconded by Mr. Schroeder. Upon vote, the **MOTION CARRIED** unanimously.

V. Public Participation

None

VI. Communications

None

VII. Items to be Approved by ELUC

- A. Annual Renewal of Recreation & Entertainment Licenses
 - 1. Alto Vineyards, 4210 North Duncan Road, Champaign, 1/1/14-12/31/14
 - 2. C.C. Pink House Inc., 2698 CR 1600N, Ogden, 1/1/14-12/31/14
 - 3. Gordyville LLC, 2205 CR 3000N, Gifford 1/1/14-12/31/14
 - 4. Lake of the Woods Bar & Liquors, 204 South Prairieview Road, Mahomet, 1/1/14-12/31/14

OMNIBUS MOTION by Mr. Kurtz to approve the 2014 Recreation and Entertainment licenses for Alto Vineyards, C.C. Pink House Inc., Gordyville LLC., and Lake of the Woods Bar & Liquors; seconded by Mr. Harper. Upon vote, the **MOTION CARRIED** unanimously.

- B. Annual Renewal of Hotel/Motel License – Hariohm Inc. dba Motel 6, 1906 North Cunningham Avenue, Urbana, 1/1/14-12/31/14

MOTION by Mr. Schroeder to approve the 2014 Renewal of Hotel/Motel License for Hariohm Inc. dba Motel 6; seconded by Mr. Kurtz. Upon vote, the **MOTION CARRIED** unanimously.

VIII. Items to Receive & Place on File by ELUC Committee

- A. Report on RPC Planning Contract item: Land Resource Management Plan (LRMP) Priority Item 5.1.8b – Feasibility of an intergovernmental agreement regarding control and jurisdiction of property outside of the 1.5 mile municipal extraterritorial jurisdiction

MOTION by Mr. Kurtz to approve the report from the Regional Planning Commission on the Land Resource Management Plan Priority Item 5.1.8b; seconded by Ms. Petrie.

Mr. Levy noted that the LRMP had a Priority Task Item 5.1.8b to assess the feasibility of developing an Intergovernmental Agreement with each municipality that has adopted a municipal comprehensive land use plan regarding the jurisdiction of land under annexation agreements continuing under the control and jurisdiction of the County. In 2009, the Illinois Municipal and County Code was amended to retain jurisdictional authority of land to county government in the unincorporated area outside the 1.5 mile extraterritorial jurisdiction (ETJ) with the adoption of a resolution. In September 2009, the Champaign County Board approved Resolution No. 7111 to retain jurisdiction of land outside of the ETJ. Mr. Levy stated that the intent of LRMP Priority Task Item 5.1.8b has been achieved.

Mr. Levy acknowledged that an area that has not been clarified is the scenario where an annexation agreement in the ETJ expires that has had some development. In that case, it is unclear whether the land would be under county or municipal zoning regulations. While this has not happened, Mr. Levy noted that municipal staff has cooperated with any situation that has come up. Ms. Petrie wondered what trigger mechanisms are in place when an expiration date approaches. Mr. Levy indicated that the municipalities track that information. Past experience has been for the County to work with the municipality and extend the annexation agreement. If a problem occurs between the landowner and the municipality, Mr. Hall will bring it to the ELUC Committee.

Mr. Jay was concerned that the citizens within the 1.5 mile ETJ area have no representation with the municipalities. The County is responsible for those citizens but wrongly gives that authority away to the municipalities. Mr. Jay thought this issue is something that the County Board should work on in the future. Mr. Hall stated that the jurisdiction of the 1.5 mile ETJ is actually a state legislative topic. Mr. Jay thought it should be pursued.

Upon vote, the **MOTION CARRIED** unanimously.

IX. Direction by ELUC Committee

A. Guidance regarding a Preliminary Engineering Report for Wilbur Heights

Ms. Chavarria indicated that RPC staff with input from residents, business owners and Somer Township officials has identified a main issue in unincorporated Wilbur Heights Subdivision as storm water drainage. Canadian National Railroad owns the land on the east side where a basin collects the drainage water from a quarter of the subdivision. The railroad does not claim responsibility for this problem even though it is on their land because it is not the intended use for the basin. Somer Township maintains the ditches and roads but does not have money for systemic improvements.

RPC staff recommends that the County hire an engineering service to provide a preliminary engineering report (PER) to identify the drainage problems and potential solutions/cost estimates. Even though many jurisdictions are involved in the Wilbur Heights Subdivision, money for solutions really comes down to the Somer Township, Champaign County and external funding or grant opportunities. Obtaining a PER is a prerequisite to apply for CDAP funding. Ms. Chavarria has solicited four businesses for funding and received two commitments so far.

IDOT is offering to transfer the eastern two-thirds of Wilbur Avenue to Somer Township. IDOT will provide money to improve the road and maintain it over the next 25 years. This could be funded as early as 2015 and is an excellent opportunity to integrate any drainage improvements at the same time if the PER has been completed. Jeff Blue, County Engineer, is willing to put in engineering time for the IDOT jurisdictional transfer project to reduce the expenses.

Mr. Harper stated that the drainage problems need to be fixed before the roads are improved. Three-fourths of the subdivision currently drains to the northeast which eventually drains to the Beaver Lake Drainage District's tile approximately one mile away. Mr. Harper inquired if surface drainage could connect to the tile. Mr. Jonathon Manuel of the Champaign County Soil & Water Conservation District visited the subdivision and thought that surface drainage will not work because the area is too flat. He discovered that the concrete culvert on the Canadian National Railroad land has collapsed for about 100 yards. It is filled with tires, debris and stagnant water. All the inlets on the street storm drains were also holding water at a time when there had been no rain. Mr. Manuel guessed that a new 15" drainage tile from the drainage ditch up to the subdivision will be needed.

Ms. Petrie inquired about funding from the Beaver Lake Drainage District to aid in this project. Ms. Chavarria estimated that the drainage district receives approximately \$1,000/year in taxes from Wilbur Heights Subdivision. Ms. Petrie suggested contacting Barbara Minsker, University of Illinois professor of Environmental Systems Engineering to challenge her CEE class with the drainage problem.

MOTION by Mr. Kurtz to direct Susan Chavarria to investigate and bring back to the February ELUC Committee a contract proposal for a preliminary engineering study on the Wilbur Heights drainage problem; seconded by Ms. Petrie.

Ms. Busey explained that at the February ELUC Committee meeting, members could recommend approval of that proposal to the Finance Committee of the Whole. The next step will be to identify the funding to pay for it. Ms. Petrie cautioned that if the cost exceeds \$20,000, a Request for Proposal (RFP) or bids would become necessary.

Upon vote, the **MOTION CARRIED** unanimously.

X. Item to be Approved by ELUC for Referral to ZBA (deferred from November 2013)

- A. Preliminary Review of a proposed *Storm Water Management and Erosion Control Ordinance* to meet part of Champaign County's MS4 Obligations

MOTION by Mr. Kurtz to recommend approval of the proposed *Storm Water Management and Erosion Control Ordinance*; seconded by Ms. Petrie.

Mr. Levy gave a brief overview of the ordinance that can found on the County's website at <http://www.co.champaign.il.us/countybd/ELUC/2014/140109presentation.pdf>. If approved by the ELUC Committee, the draft will be presented at a ZBA public hearing on February 13th. The adoption of the Draft Ordinance is expected in July 2014. The Illinois Environmental Protection Agency (IEPA) will be auditing Champaign County's MS4 program in spring 2014 and will be focusing on the progress made on these issues.

Mr. Hall clarified that since 2003, Champaign County Planning and Zoning is already regulating development that creates an acre or more of impervious area. This new mandate is a broader application of land disturbance. The draft ordinance was sent out to 48 local contractors, builders and engineers for comment.

Mr. Hall believed that the draft ordinance covers what the County is minimally required to do in the mandated 10.2 square mile MS4 jurisdictional area. In addition, some proposals have been flagged (Attachment B from November's packet) that include the application of basic requirements throughout the county's 1,000 square miles – not just in the MS4 jurisdictional area. While this is probably optional, it does provide a baseline minimum to prevent the most egregious kinds of erosion and sedimentation accidents.

Mr. Hall needed direction from the ELUC Committee whether to include the optional minimum requirements throughout the entire Champaign County Zoning jurisdiction.

Mr. Kurtz amended his motion to include the optional minimum requirement throughout Champaign County. Ms. Petrie agreed to the friendly amendment.

AMENDED MOTION by Mr. Kurtz to recommend approval of the proposed *Storm Water Management and Erosion Control Ordinance* to include minimum standards for all of Champaign County Zoning jurisdiction.

Ms. Petrie commented that the addition of the minimum standards of erosion and sedimentation in all of Champaign County will be a taxpayer saving to prevent additional reparative costs if these standards are not done. Mr. Jay is opposed to this additional regulation, and stated that the County should only do what IEPA requires. Mr. Schroeder suggested that the additional minimum standards should be included in the draft at this point, and members can debate this issue and take it out if warranted when it comes back to this Committee.

Upon vote, the **MOTION CARRIED** unanimously.

XI. Monthly Reports

- A. November 2013

MOTION by Ms. Petrie to receive and place on file the Planning & Zoning Monthly Reports for November 2013; seconded by Mr. Kurtz. Upon vote, the **MOTION CARRIED** unanimously.

XII. Other Business

None

XIII. Chair's Report

None

XIV. Designation of Items to be Placed on the Consent Agenda

None

XV. Adjournment

MOTION by Mr. Kurtz to adjourn; seconded by Mr. Harper. Upon vote, the **MOTION CARRIED** unanimously. There being no further business, Mr. Esry adjourned the meeting at 7:50 p.m.