

CHAMPAIGN COUNTY BOARD
Committee of the Whole Minutes

Tuesday, October 2, 2012 – 6:00pm
Lyle Shields Meeting Room
1776 E. Washington St., Urbana, IL

MEMBERS PRESENT: Alix, Ammons, Anderson, Bensyl, Berkson, Carter, Cowart, Esry, Holderfield, James, Jay, Kibler, Kurtz, Maxwell, McGinty, Michaels, Mitchell, Moser, O’Connor, Petrie, Quisenberry, Richards, Rosales, Schroeder, Weibel

MEMBERS ABSENT: Betz, Langenheim

OTHERS PRESENT: Deb Busey (County Administrator), Alan Reinhart (Facilities Director), John Hall (Zoning Director), Jeff Blue (County Engineer), several members of the public

Call to Order

Chair Weibel called the meeting to order at 6:02pm.

Roll Call

The secretary called the roll and the following members were present: Alix, Ammons, Anderson, Berkson, Carter, Cowart, Esry, Holderfield, James, Jay, Kibler, Kurtz, Maxwell, McGinty, Michaels, Mitchell, Moser, O’Connor, Petrie, Quisenberry, Richards, Rosales and Weibel. Declaring a quorum, the Chair proceeded with the meeting. Schroeder and Bensyl arrived after the roll call.

Approval of Minutes

Motion by James to approve the minutes of September 4, 2012, as presented; seconded by Carter. Moser stated that the first name of Mr. Bidner is Scott, not Doug as listed. **Motion carried unanimously.**

Approval of Agenda/Addendum

Motion by Carter to approve the agenda for the meeting; seconded by Esry. There was no addendum. **Motion carried unanimously.**

Public Participation

Tod Satterthwaite, as Chair of the Local Foods Policy Council, stated he was here to talk about a resolution that committee passed and how it would affect the LESA. They encouraged the ZBA and the County Board to come up with ways to help preserve smaller parcels of land as well of larger parcels. They see it as economic development.

Bruce Stickers spoke and stated he was on the LESA Review Committee, He said they met many times to get the LESA right and the goal is to protect agriculture, large and small. He said definitions were difficult. He felt it wasn’t necessary to change anything in the LESA.

David Theis spoke about comments made in open meetings with regard to Dennis Kimme. He stressed that he was not here to ask for reconsideration of the decision to hire another firm, but was very concerned about comments made that affect Mr. Kimme's reputation and said that picture needed to be repainted. He said Mr. Kimme is one of the more principled people he knows. He said the Mr. Kimme is interested and passionate about the community and its criminal justice system.

Dennis Kimme stated he had much to say and requested that he be given more than the allotted time limit of 5 minutes.

Motion by Kurtz to extend the time to allow Mr. Kimme to make his statement in whole; seconded by Esry. **Motion carried with one no vote.**

Dennis Kimme spoke and said that he had his integrity, credibility and even his morality publicly attacked. He stated that Ms. Ammons had charged his firm with a serious conflict of interest because his firm was already being consulted on the jail and used that accusation to cast doubt on the integrity of the Planning Committee members for ranking the proposals. He said he assumed it stemmed from a couple of emails that he sent the Sheriff in an attempt to help his county. He said he offered some opinions about how to mitigate some of the problems at the downtown jail for which two consultants recommended its closure, which Mr. Kimme felt extreme. He said his emails to the Sheriff were unsolicited and not part of a relationship with the Sheriff. He also said those emails went without response and assumed they were simply ignored. He said that Ammons labeling of this as a conflict of interest is absurd and unfair. He listed several statements that were given factually incorrect. He continued saying that public statements made by James Kilgore were also false. He felt it was inappropriate conduct for an official representative of the County's Jail Task Force to be making. He said he could no longer accept the attempts at trashing his integrity as a means of attaining a political result.

Eric Sebens addressed his request to address a language amendment in the zoning ordinance that is on this evening's agenda.

Charles Jesse, owner of Jesse Heating and Air Conditioning, requested the Board's support of the request for a zoning amendment on this evening's agenda. He addressed his concern with the City of Champaign's non-support of the amendment. He didn't feel the City of Champaign had all of the facts.

Norman Stenzel spoke about the LESA. He stated the LESA is not ready for approval for a variety of reasons. He felt there were procedural and development issues. He also felt there were problems with testing the instrument.

County Facilities

Physical Plant Monthly Reports

Motion by Quisenberry to receive and place on file the monthly report of the Physical Plant; seconded by Berkson. **Motion carried unanimously.**

202 Art Bartell Construction Project Monthly Report & Project Update

Reinhart directed the committee's attention to the memo placed at their desks. It gave a general overview of the project. There were three change orders during the course of the project and he described each of those. He said a sidewalk restoration was deleted, but the sidewalk was removed from the bus shelter up to the no longer used Administration portion of the building. The second change order was to grout and abandon in place an existing culvert and the third change was a unit price adjustment and quantities of storm pipe, asphalt and concrete.

Motion by James to receive and place on file the 202 Art Bartell Monthly Report; seconded by Quisenberry. **Motion carried unanimously.**

Report Regarding Downtown Jail Facility

Reinhart reviewed items for roof maintenance/repair and masonry repair. Purchase orders have been issued to Nogle & Black for the roof project and to R.D. Cox Masonry for the masonry repair. He is still waiting on proposals for work on the shower stalls and dayroom painting. Petrie asked that the paint be low VOC paint.

Chair's Report

None.

Other Business

None.

Designation of Items to be placed on the consent agenda

None.

Environment & Land Use

R& E License: Egyptian Collectors Association Buy-Sell-Trade Show

Motion by Moser to approve the Recreation & Entertainment License for the Egyptian Collectors Association Buy-Sell-Trade Hunting Show at the Champaign County Fairgrounds on October 20-21, 2012; seconded by Holderfield. **Motion carried unanimously.**

Zoning Case 710-AT-12

Motion by Cowart to approve the preliminary recommendation for approval of a text amendment to the Champaign County Zoning Ordinance in Zoning Case 710-AT-12 to amend the Champaign County LESA; seconded by Rosales. Hall explained the protocol for the zoning amendment requests. Recommendations for approval need to wait one month for the final recommendation. McGinty said that based on the fact that we need to wait thirty days for a recommendation, it seemed logical to give some indication as to what may happen at next month's meeting.

Motion by Petrie to amend the document on page 47, Item #17 to state that any new LESA be evaluated within two years or 10 cases that appear before ZBA, whichever comes first; seconded by Berkson. Weibel stated that document is simply a memo regarding the ZBA

findings. **Chair Kurtz ruled the motion to amend out of order because that page is part of the Findings, not a part of the recommendation.**

Moser said there was one month left for this Board to deal with this LESA. He said there was a lot of work completed and doesn't agree with changing anything. He also didn't agree with comments made by Mr. Stenzel. He has no problem sending this on to the State. Jay agreed that this should move forward. Weibel said we could direct Mr. Hall to re-evaluate this in 2 years. A straw poll shows a majority vote to move forward with the LESA.

Zoning Case 711-AT-12

Motion by Moser to approve the preliminary recommendation for approval of a text amendment to the Champaign County Zoning Ordinance in Zoning Case 711-AT-12 to amend the Champaign County Zoning Ordinance by changing the definition of Best Prime Farmland; seconded by Kibler. McGinty asked for a straw poll vote to see if this would also move forward.

Motion by Ammons to defer both Items B and C to next month; seconded by Quisenberry. **Motion carried.**

Direction re: Text Amendment to Amend Limits on Vehicles and Equipment in Rural Home Occupations

Motion by James to direct the Zoning Administrator to amend limits on vehicles and equipment in Rural Home Occupation; seconded by Schroeder. James said it is a much better document now. **Motion carried unanimously.**

Direction re: Amendment to Add "Agricultural Drainage Contractor Facility" to Zoning Ordinance

Motion by Kibler to direct the Zoning Administrator to make a add "Agricultural Drainage Contractor Facility" to the Champaign County Zoning Ordinance; seconded by Esry. Hall gave a brief explanation of the request. **Motion carried with one no vote.**

Direction re: Amendment to Amend "Contractor Facility" in Zoning Ordinance

Motion by Kibler to direct the Zoning Administrator to amend "Contractor Facility" in the Champaign County Zoning Ordinance; seconded by Esry. Schroeder said he supported this change. Weibel asked Hall to explain how the City works with the mile and half jurisdiction area. Hall responded that when there is a request such as this, the City has the opportunity to weigh in, but the County Board has the final say. Jay stated that the County Board has the responsibility to represent its citizens. Richards agreed with Jay and hoped this Board would override the City's protest, if a protest is given. Alix supported the change because it is an appropriate use in that zoning area. **Motion carried unanimously.**

Monthly Report

Motion by Ammons to receive and place on file the Zoning Department's Monthly Report; seconded by Carter. **Motion carried unanimously.**

Other Business

None.

Designation of Items to be placed on Consent Agenda

None.

Highway & Transportation

County & Township Motor Fuel Tax Claims – August/September 2012

Motion by O'Connor to receive and place on file the County and Township Motor Fuel Tax Claims for August and September, 2012; seconded by Cater. **Motion carried unanimously.**

Final Bridge Reports

Motion by Weibel to receive and place on file the Final Bridge Reports; seconded by Rosales. Maxwell asked for an explanation on the bridge that was over one million. Blue state that a majority was federally funded and it required more engineering. Petrie asked how much money is left. Blue stated there was approximately \$3-4 million in the County's bridge fund. Maxwell pointed out a typo and Blue will have that corrected. **Motion carried unanimously.**

Resolution Appropriating an Additional \$268,523.53 for Curtis Road – Phase I

Blue said this project was started in 2006 and had just received final documentation from the State to move forward. This is an accounting measure and the project is complete.

Motion by Weibel to recommend approval of a Resolution Appropriating an Additional \$268,523.53 from County Motor Fuel Tax Funds for the Curtis Road Phase I, Section #00-00374-00-PV; seconded by Carter. **Motion carried unanimously.**

Bridge Petition – Colfax Road District

Motion by Jay to recommend approval of a Petition and Resolution Approving Appropriation of Funds from the County Bridge Fund Pursuant to 605 ILCS 5/5-501 for Colfax Road District; seconded by Alix. **Motion carried unanimously.**

Bridge Petition – Crittenden & Pesotum

Motion by James to recommend approval of a Petition and Resolution Approving Appropriation of Funds from the County Bridge Fund Pursuant to 605 ILCS 5/5-501 for Crittenden and Pesotum Road Districts; seconded by Holderfield. **Motion carried unanimously.**

Bridge Petition – Tolono & Champaign

Motion by Jay to recommend approval of a Petition and Resolution Approving Appropriation of Funds from the county Bridge Fund Pursuant to 605 ILCS 5/5-501 for Tolono and Champaign Road Districts; seconded by Carter. **Motion carried unanimously.**

Resolution Appropriating \$1,000,000 for replacement of structure on County Highway 22

Motion by Kurtz to recommend approval of a Resolution Appropriating \$1,000,000.00 from County Bridge Funds for the Replacement of Structure #010-0151 on County Highway #22, Section #12-00990-00-BR; seconded by Weibel. Kurtz asked how many bridge we have. Blue said there are approximately 600 bridges. Blue said there is one bridge on the County Highway system that will be let next year. Maxwell asked if the Penfield bridge will be eligible for federal money. Blue said it may be, but right now the rating isn't low enough to be eligible for that. He said this bridge needs very minimal right of way and most of the cost will go towards construction and engineering. Ammons asked if a list could be placed on the website of projects that are done or scheduled to be done. Anderson said that since this is the road that goes to the County's Forest Preserve District, it is well worth working on. **Motion carried unanimously.**

Olympian Drive Right-of-Way

To be discussed in closed session.

Diesel Fuel Tank Removal

Blue said there was a diesel tank put in the former highway building in the 1980's because we could buy fuel at discounted rates then. There are no longer deals for buying fuel and this tank is costing the County nearly \$1,000 per year for licenses and such to keep it. He is looking into hiring a contractor to remove the tank. Alix said his only concern is a contingency plan in case of a power outage or something along that line. Blue said there is a large generator at his building, so that wouldn't be an issue. Blue said it would cost approximately \$5,000 to have it removed and that a licensed contractor will be hired to ensure the tank is not leaking and the ground would remain clean.

Other Business
Closed Session

Motion by Alix to enter into closed session at 7:49pm pursuant to 5 ILCS 120/2(c)(11) to consider litigation which is probable or imminent against Champaign County and that the following individuals remain present: County Engineer, County Administrator and the Recording Secretary; seconded by McGinty. **Motion carried with Alix, Ammons, Anderson, Bensyl, Berkson, Carter, Cowart, Esry, Holderfield, Jay, Kurtz, Maxwell, McGinty Michaels, Mitchell, Petri, Quisenberry, Richards, Rosales, Schroeder and Weibel voting yes and with James, Moser and O'Connor voting no.**

The meeting reopened at 8:14pm.

Designation of Items to be placed on the consent agenda

All items requiring Board action are to be placed on the Consent Agenda.

Adjournment

Chair Weibel declared the meeting adjourned at 8:15pm.

Respectfully submitted,

Ranae Wolken
Recording Secretary

Secretary's note – The minutes reflect the order of the agenda and may not necessarily reflect the order of business conducted at the meeting.

CHAMPAIGN COUNTY BOARD
CLOSED SESSION MINUTES

COMMITTEE OF THE WHOLE

Highway & Transportation

Lyle Shields Meeting Room, Brookens Administrative Center

1776 E. Washington St., Urbana, Illinois

October 2, 2012

Motion by Alix to enter into Closed Session at 7:49pm pursuant to 5 ILCS 120/2(c)(11) to consider litigation which is probable or imminent against Champaign County and that the following individuals remain present: County Engineer, County Administrator and Recording Secretary; seconded by McGinty. **The motion carried with Alix, Ammons, Anderson, Bensyl, Berkson, Carter, Cowart, Esry, Holderfield, Jay, Kurtz, Maxwell, McGinty, Michaels, Mitchell, Quisenberry, Richards, Rosales, Schroeder and Weibel voting yes and with James, Moser and O'Connor voting no.**

Mr. Blue gave a brief update as to the status of the negotiations for the right-of-way purchase for the Olympian Drive Project. He gave a historical perspective with what has happened to date. He said the initial offer was \$166,000 for 16.5 acres, about \$10,000 per acre. On June 26, an in-house appraisal of land sales happening at the time came up with a different value of \$19,000 per acre, plus compounded interest and they offered almost \$23,000 per acre. On July 12, the Squire family sent a letter with a counter offer willing to accept \$53,207.85 per acre. It was at that time he came back to the Board and was given authority to go up to \$30,000 per acre and he attempted to offer \$27,700 per acre, but the Squires counter-offered at \$48,500. He said the family is not budging much and the lowest they have counter offered is \$38,000. Mr. Blue felt he might be able to complete a deal for \$35,000. He reminded the Board that going much higher will set the bar for any discussions in the future for the Lincoln Avenue project. Moser said to split the difference, because no one wins but the lawyers. Holderfield wanted to support the offer so the County doesn't end up in court. Brief discussion followed.

A straw poll vote showed support of offering up to \$35,500.00 per acre.

The Committee of the Whole resumed Open Session at 8:14pm.

Respectfully Submitted,

Ranae Wolken
Recording Secretary