

MINUTES OF REGULAR MEETING

Champaign County Environment & Land Use Committee	DATE:	December 12, 2005
Champaign County Brookens Administrative Center	TIME:	7:00 p.m.
Urbana, IL 61802	PLACE:	Lyle Shields Meeting Room (Meeting Rm. 1) Brookens Administrative Center 1776 E. Washington Street Urbana, IL 61802

MEMBERS PRESENT: Jan Anderson, Patricia Busboom, Chris Doenitz, Nancy Greenwalt (VC),
Brendan McGinty, Jon Schroeder

MEMBERS ABSENT: Tony Fabri, Ralph Langenheim (C), Steve Moser

STAFF PRESENT: John Hall, Connie Berry, Susan Monte, Leroy Holliday,
Joel Fletcher (Assistant States Attorney): Deb Busey (County Co-
Administrator)

OTHERS PRESENT:

1. Call to Order, Roll Call

The meeting was called to order at 7:04pm.

2. Approval of Agenda / Addendum

Mr. Schroeder moved, seconded by Ms. Anderson to approve the agenda and addendum. The motion carried by voice vote.

Mr. McGinty moved, seconded by Mr. Schroeder to move the addendum to after Public Participation. The motion carried by voice vote.

3. Minutes of Previous Meeting (November 14, 2005)

Ms. Anderson moved, seconded by Mr. Doenitz to approve the November 14, 2005 minutes as submitted. The motion carried by voice vote.

4. Public Participation

None

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A1. Addendum

Administrative Agreement between Champaign County and county municipalities regarding the affects of the Illinois Supreme Court decision in *Village of Chatham vs. Sangamon County*.

Mr. Fletcher stated that the Illinois Supreme Court Decision regarding the *Village of Chatham vs. Sangamon County* indicates that areas subject to an annexation agreement with a municipality are subject to the building and zoning codes of that municipality even if the areas are not contiguous with the city. Mr. Fletcher went on to say he met with the municipal attorneys for the Cities of Champaign and Urbana regarding this issue. He stated that after meeting with the attorneys the statutory language relied upon by the Supreme Court is broad and it's unclear as to how the decision will be implemented. Mr Fletcher stated that zoning, building codes, and subdivision authority will be the jurisdiction of the annexing municipality. He also stated that such properties would not be subject to the liquor ordinance, property tax, or public health jurisdiction of the annexing municipality. He said that an administrative agreement may be needed to point people to the right office when they come for permits but this agreement would not be enforceable.

Mr. Doenitz asked whether an annexation agreement was already in place would the municipality issue the permits.

Mr. Fletcher answered yes.

Mr. Hall stated that before the issuance of a permit, the municipality will designate the zoning and this is not limited to just the mile and a half of an extraterritorial jurisdiction area of a municipality.

Ms. Busboom stated that the residents should be informed by public notice so they know where to go to obtain their permit.

Mr. Fletcher stated that we should wait until an operational understanding is made with the two cities so that everyone is on the same page.

Mr. Doenitz asked if this will impact the road districts.

Mr. Fletcher stated that it is unknown to date.

Mr. Schroeder asked what affect this would have if the county had a building code.

Mr. Fletcher stated that the building code would come under the annexing municipality.

Mr. Doenitz asked if there was a limit as to how far a municipality can go with a pre-annexation agreement.

Mr. Fletcher stated that there are no limits at this time but there may be other factors involved that may limit

1 them.

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3 Mr. Hall stated that he had contacted Peoria, McLean, and Sangamon Counties and they have not had time
4 to address this issue. He said that he contacted the City of Champaign and they indicated that the Illinois
5 Municipal League stated it has been standard practice for over a decade.

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7 Ms. Greenwalt asked Mr. Fletcher if any of our legislators had been contacted.

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9 Mr. Fletcher answered no but will do so if directed by the committee.

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11 **Mr. McGinty moved, seconded by Mr Doenitz to direct Mr. Fletcher to prepare an Administrative**
12 **Agreement between Champaign County and county municipalities regarding the affects of the Illinois**
13 **Supreme Court Decision in Village of Chatham vs. Sangamon County and draft correspondence to**
14 **legislators. The motion carried by voice vote.**

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16 Mr. Hall stated that development is proposed within one and one half mile of the City of Champaign and
17 Village of Savoy and will not be annexable and will go under the new decision.

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19 Ms. Busboom stated that with the changes this may help lower the case load of the Zoning Office.

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21 Mr. Hall agreed and stated that the County may not have any more Rural Residential Overlay cases.

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23 **5. Correspondence**

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25 **Mahomet Aquifer Consortium Meeting No. 44, November 15, 2005 Agenda**

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27 The Consensus of the Committee was to place the Mahomet Aquifer Consortium Meeting No. 44,
28 November 15, 2005 minutes on file.

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30 **Mahomet Aquifer Consortium Meeting No. 43, September 27, 2005 Minutes**

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32 The Consensus of the Committee was to place the Mahomet Aquifer minutes Meeting No. 45 September 27,
33 2005 on file.

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35 **6 County Board Chair's Report**

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37 None

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39 **7. Recreation and Entertainment License: Alto Vineyards Champaign, 4210 N. Duncan Rd.,**
40 **Champaign, IL. January 1, 2006 through December 31, 2006**

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1 **Mr. Doenitz moved, seconded by Ms Busboom to approve the Recreation and Entertainment License**
2 **for Alto Vineyards located at 410 N. Duncan Rd Champaign, IL. January 1, 2006 through December**
3 **31, 2006. The motion carried by voice vote.**
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5 **8. Subdivision Case 185-05: Wolken Subdivision. Plat approval for a one-lot minor subdivision in**
6 **the AG-1 Zoning District in Section 35 in Rantoul Township.**
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8 **Mr. Doenitz moved, seconded by Mr McGinty for to recommend approval of Subdivision Case 185-05**
9 **Wolken Subdivision. The motion carried by voice vote.**
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11 Mr. Hall recommended approval with two waivers and one condition. He said that a revised plat will be
12 submitted to the office due to an error in the present plat submitted by the surveyor.
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14 Mr. Doenitz and Mr. McGinty acknowledged amendment to their motion as friendly.
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16 Mr. Doenitz Moved, Seconded by Mr. McGinty to recommend approval of Subdivision Case 185-05:
17 Wolken Subdivision with two waivers and one condition. The motion carried by voice vote.
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19 **9. Subdivision Case 186-05: McFarland Meadows Subdivision. Plat**
20 **approval for a one-lot minor subdivision in the Ag-1 Zoning District in 34 of Pesotum**
21 **Township**
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23 **Mr. Schroeder moved, seconded by Ms. Anderson to recommend approval of Subdivision Case 186-**
24 **05: McFarland Meadows Subdivision with two waivers. The motion carried by voice vote.**
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26 **10. Case 521-AT-05: Zoning Administrator Extension of interim amendments regarding**
27 **A. Exemptions from the requirements for establishment of a Rural Residential Overlay**
28 **District in the CR, AG-1 and AG-2 Districts.**
29 **B. Maximum lot size in CR, AG-1 and AG-2 Districts.**
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31 **Mr. Doenitz moved, seconded by Ms. Anderson to recommend to the County Board approval of Case**
32 **521-AT-05 Part A & B. The motion carried by voice vote.**
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34 **11. Approval of 2006 Champaign County Zoning Calendar**
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36 **Mr. McGinty moved seconded by Mr. Doenitz to approve the 2006 Champaign County Zoning**
37 **Calendar as submitted. The motion carried by voice vote.**
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39 **12. Staff Report**
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42 Mr. Hall distributed the Zoning Monthly Report to the committee for review.

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13. Other Business

Ms. Greenwalt stated that prior to the County Board meeting on December 20, 2005 a Special ELUC meeting will be scheduled at 6:45pm, in meeting room 2.

14. Determination of items to be placed on County Board Consent Agenda

The consensus of the Committee was to place items #8, #9 and #10 on the County Board Consent Agenda.

15. Closed session pursuant to 5 ILCS 120/2 (c) 1 to consider the employment, compensation, discipline, performance, or dismissal of an employee

Mr. McGinty moved to enter into Closed session pursuant to 5 ILCS 120/2 (c) 1 to consider the employment, compensation, discipline, performance, or dismissal of an employee. The roll was called:

Ms. Anderson-yes,	Mr. Doenitz-yes, Mr.	McGinty-yes,
Mr. Shroeder-yes	Ms. Busboom-yes	Ms. Greenwalt-yes
Mr. Langenheim-absent	Mr. Fabri-absent	Mr. Moser-absent

The meeting entered closed session at 7:30pm.
The meeting adjourned closed session at 8:30pm.
The meeting resumed open session at 8:35pm.

16. Adjournment

Ms. Greenwalt declared the meeting adjourned at. 8:40pm.

Respectfully submitted,

Secretary to the Environment and Land Use Committee

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