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None

5. Correspondence

None

6. Proposal to prepare a Champaign County Government Land Use Plan

Mr. DiNovo stated that after the March 2007, ELUC meeting staff took another look at what was required and what was possible for developing a plan. He said that the total cost was reduced approximately 14% from \$295,000 to \$255,000 and 12 months were taken off of the time line. He said that a more specific proposal has been developed to indicate how payment is proposed for the plan. He said that the preponderance of the funds, \$144,000 of the \$255,000, would come out of the County’s regular annual planning contract with the Regional Planning Commission. He said that over the course of time it would be expected that 95% of Ms. Monte’s time would be devoted to this project which is a less conservative assumption than was made previously when it was assumed that 90% of Ms. Monte’s time would be devoted. He said that the time which will be devoted to the project is actual work hours after vacation and holidays have been removed.

Mr. DiNovo stated that 20% of the project amount could actually come out of the GIS fund. He said that a lot of the work during the beginning of the project is data development and much of that is map related which would be legitimately fundable out of the GIS program because it will develop data layers that are going to be useful to a wide array of people. He said that the appropriations for the miscellaneous expenses, such as posting notice, mailings, etc, could be covered out of the current planned expenditures in Administrative Services and the Planning and Zoning Department. He said that approximately \$52,000 would need to be covered out of new appropriations of which \$2,000 could come out of an additional appropriation from the GIS fund during FY 2007 and the other \$50,000 would need to come out of the General Corporate Fund over the course of FY 2008 and 2009. He said that this is the minimal program that staff can recommend and no significant opportunities are available to reduce the amount in order to have a credible plan that is broadly supported.

Mr. DiNovo stated that the legal authority which will be utilized is the *Local Land Resource Management Planning Act* (50 ILCS 805/3.B). He said that this legal authority does include some mandates which must be looked at such as public utilities, energy distribution systems, public facilities and services in the context of the plan. He said that these are some of the maps which are required by the *Act* in the sense the law mandates them if the legal authority is to be used during the planning. He said that staff has heard from the State’s Attorney’s office and there are no significant questions regarding the RPC’s ability to prepare this plan in the way that is proposed under the *Local Land Resource Management Planning Act*.

Ms. Monte stated that in March staff proposed a three year time line for the project but currently the time line has been reduced to two and one-half years. She said that this would be a 29% reduction of staff time

1 and that is as tight as staff could possibly get it. She said that the use of interns will be utilized during GIS
2 map development for the proposal. She said that there are four primary stages for the project and stages one
3 and two have been tightened up by 11% with stages three and four being tightened up by 25%. She said that
4 the overall cost for the project has been reduced by \$40,000 which is approximately a 19% reduction in the
5 cost. She said that staff anticipates using as much existing data as possible and producing fewer new maps
6 than have been previously proposed in March. She said that during the third stage a public workshop has
7 been eliminated because of the lack of time available to process the information that would have been
8 collected.

9
10 Mr. DiNovo stated that the single largest cost savings comes in eliminating the second public workshop. He
11 said that it is estimated that running a participatory public workshop would cost approximately \$10,000
12 from start to finish. He said that the rest of the cost savings comes from using much less conservative
13 assumptions of what would have been able to be accomplished in the three year time line.

14
15 Ms. Melin asked if there would only be one public hearing.

16
17 Mr. DiNovo stated that there is a public workshop anticipated for April 2008 and a public hearing in April
18 2009. He said that the workshop is important in that it will be a participatory public workshop where the
19 results of the workshop will be used to craft the policy statements when the maps are put together. He said
20 that what comes out of the workshop will not be just comments in response to the proposal but are structured
21 exercises from which staff will derive information on what kinds of proposals to put together. He said that
22 the public hearing is in response to a published draft of the plan.

23
24 Ms. Monte stated that municipal and township representatives will be interviewed during the first stage prior
25 to the public workshop.

26
27 Mr. DiNovo stated that staff will meet with people from every township and municipality and talk to them
28 however they would like to structure it consistent with the *Open Meetings Act*. He said that these could be
29 private meetings with one or two officials or they could be meetings with the entire village or township
30 board. He said that the key element of public participation is the Steering Committee itself. He said that the
31 Steering Committee needs to be constituted so that the key interests in the County see it as a credible body
32 that is going to fairly weigh all of the different considerations. He said that getting the right people on the
33 Steering Committee is going to be very important.

34
35 Mr. Weibel asked Mr. DiNovo who he would envision being on the Steering Committee.

36
37 Mr. DiNovo stated that representation from the cities, small villages, rural and metropolitan townships,
38 farmers, environmentalists and a property rights advocate is desired. He said that within the bounds of a
39 practical size the Steering Committee should encompass as many different points of view as possible. He
40 said that representatives from the chamber of commerce and or the home building industry are other
41 interests which should be included. He said that this is a difficult question because a large body could be
42 created and it could diminish people's commitment to the effort. He said that one of the difficult things
43 about the steering committee is that people will be asked to sign on for two and one-half years without a per

1 diem. He said that all ELUC members will be named as ex-officio members of the Steering Committee so
2 that they can participate at the extent desired. He said that the steering committee needs to be broader than
3 just ELUC and should be representative of a wider array of interests.
4

5 Mr. Schroeder asked who will be designated as the County Planner.
6

7 Mr. DiNovo stated that for the most part Ms. Monte will probably be designated as the County Planner but it
8 could be someone equivalent to Ms. Monte, depending upon the specific tasks.
9

10 Mr. Schroeder asked Mr. DiNovo who would be the project manager.
11

12 Mr. DiNovo stated that the project manager will either be the Community Development Manager which is a
13 position that is currently vacant at the Regional Planning Commission or himself or a combination of the
14 two depending upon the circumstances. He said that his division is being reorganized and the division will
15 be organized into four program areas which are GIS; transportation; housing and weatherization; and
16 economic development, community development, information programs; and contract planning services
17 which would all be pulled together in one program with its own manager. He said that this is not equivalent
18 to the position that Casey Rooney previously held but would be closer to the position previously held by Ted
19 Jeurissen. He said that it is a new organization within the Regional Planning Commission.
20

21 Mr. Schroeder asked Mr. DiNovo what qualifications will be required for applicants for this position.
22

23 Mr. DiNovo stated that the preferred applicant will be someone who has experience as a planner and has
24 experience in economic development work. He said that one of the uncertainties is the role that this person
25 plays in this project and will depend a lot on what the qualifications are for the person that is hired. He said
26 that a stronger planner will play a bigger role but a person who has more experience in economic
27 development will play a smaller role.
28

29 Mr. Schroeder asked Ms. Busey if the GIS funds are available for this project.
30

31 Ms. Busey stated that with this RPC proposal the only additional funding request for the GIS fund is \$2200
32 in FY 2007. She said that in FY 2008 and FY 2009 it is anticipated that ELUC will continue with the
33 current commitment in terms of budgeting for GIS. She said that currently the GIS fund has a fairly healthy
34 balance of \$450,000, which is more than adequate. She said that it is her opinion that the County Board is
35 ultimately the final body which needs to make determinations of where the GIS fund monies should be
36 focused. She said that with the FY 2007 budget additional resources were focused on the Planning and
37 Zoning Department and some issues from the Supervisor of Assessments office. She said that in moving
38 forward there are certain to be some requests probably from the County Clerk with regards to new
39 technology or application that they may have for GIS assist in payment of. She said that this \$2200 is not
40 substantial and if this is an initiative that the County Board desires to move forward with, then certainly that
41 investment for GIS funds because of what it does to build layers of map information for other government
42 functions.
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4/09/07

AS APPROVED MAY 14, 2007

ELUC

1 Mr. Schroeder asked Ms. Busey if the rest of the money which adds up to approximately \$50,000 will be
2 built into the FY 2008 and FY 2009 budgets.

3
4 Ms. Busey stated that these expenses will be built in to the General Corporate fund budget. She said that if
5 you determine to move forward with this plan, effectively, ELUC will effectively be sending a message to
6 the Finance Committee that these expenses must be included in the FY 2008 and FY 2009 budget. She said
7 that General Corporate funds are going to be challenging, but she does not remember a time when the
8 General Corporate fund was not challenging. She said that once a decision is made to move forward then a
9 way will have to be found to work it into the budget.

10
11 Mr. Schroeder stated that he would like to hear input from the Finance Committee Chair.

12
13 Ms. Wysocki asked Mr. DiNovo when he expected to have the vacant position filled.

14
15 Mr. DiNovo stated that the advertisement for the position closes on April 13, 2007, therefore it could be
16 expected that the position would be filled by June 1st.

17
18 Ms. Wysocki asked Mr. DiNovo if there have been many applicants to date.

19
20 Mr. DiNovo stated that there have not been enough applicants to make him feel comfortable. He said that
21 his view is that only one-quarter of the applicants should be interviewed and there should always be at least
22 four applicants to interview and at this point interviewing four candidates would include everyone that has
23 applied.

24
25 Ms. Wysocki stated that she would imagine that at the point when interviews take place this project will be
26 a topic discussed during the interview process.

27
28 Mr. DiNovo stated yes.

29
30 Mr. Schroeder asked Mr. DiNovo how much of an impact *big.small.all* has had on this project.

31
32 Mr. DiNovo stated that he is hopeful that *big.small.all* will allow the Steering Committee to be more
33 focused on what it chooses to talk about. He said that the vision that came out of *big.small.all.our*
34 *future.here* was not designed to be comprehensive; it was designed to be the top priority list. He said that
35 *big.small.all* tells the Steering Committee that these are the topics that are most important on people's minds
36 and we know that "farmland conversion" and "urban growth" are the number one objectives in terms of
37 priority and controversy in the whole effort. He said as a result of *big.small.all*, we can keep this project
38 focused on those issues that we know are priority concerns.

39
40 Mr. Doenitz stated that he appreciates that the cost was reduced on the project but he still feels that it is too
41 high.

42
43 Mr. Weibel asked if it would be possible to stretch the time line under the same budget.

1
2 Mr. DiNovo stated that it could be stretched out over a longer time period which would probably reduce the
3 total amount but would have the effect of shifting some of the expense form GIS back into the County
4 Planning contract. He said that he does not believe that the savings would be dramatic in part because the
5 work that would have been completed by interns would need to be completed by planners, which hour per
6 hour is more expensive. He said that this would actually move more of the expense on to the General
7 Corporate fund and would require the use of more expensive staff. He said that the other down side would
8 be that we would need to maintain the interest, commitment and energy of the Steering Committee.
9
10 Mr. Weibel stated that he has heard from several County Board members that the County needs to have a
11 Land Use Plan therefore we should move forward with this project.
12
13 Mr. Jones asked Mr. DiNovo why one County planner could not complete this project and why additional
14 resources are needed for another person.
15
16 Mr. DiNovo stated that it depends upon the amount of work which needs to completed and the character of
17 that work.
18
19 Mr. Jones stated if the new appropriations for an additional person could be cut back, the proposal would be
20 more palatable.
21
22 Mr. DiNovo stated that he does not see opportunities to do that, and that this budget is not a conservative
23 budget. He said that every stage of this project requires discipline and the decisions posed are to go with
24 what you have within the schedule and the budget. He said that the Steering Committee will also have to be
25 committed to making choices at the points where it has to make choices whether they are happy with the
26 information or not, otherwise the schedule and budget will not be under control.
27
28 Ms. Anderson asked if there was a request for a new staff position.
29
30 Ms. Wysocki asked Mr. DiNovo if currently GIS has an intern on staff.
31
32 Mr. DiNovo stated that the GIS department has two interns on staff but they are leaving therefore the
33 positions exist but will soon be vacant.
34
35 Ms. Anderson stated that perhaps one of the interns from GIS could be utilized for this project.
36
37 Mr. DiNovo stated that the RPC is charging the County for, whoever's time it is that is assigned to do this
38 work. He said that money is not being requested to create this position but it is what RPC is charging the
39 County for this person's time. He said that this person could be himself, someone else or the Community
40 Development Manager.
41
42 Ms. Anderson said that Board members are constantly hearing that the County needs a comprehensive plan.
43

4/09/07

AS APPROVED MAY 14, 2007

ELUC

1 Ms. Melin stated that the money for the salary for the Project Manager has already been accounted for in the
2 FY07 budget.

3
4 Mr. DiNovo stated yes, in the RPC's budget.

5
6 Ms. Melin stated that no new appropriations are required for this year.

7
8 Mr. DiNovo stated that in 2007, the Project Manager is basically free because it is a relatively modest
9 demand in FY07. He said that he has put many hours in to this project and the County has not paid the RPC
10 for any of that time. He said that he is rapidly coming to the end of the amount of time that he can spend on
11 this project for free. He said that his time is not paid for in any way, shape or form by any of the money that
12 the County pays the RPC, except for the County's membership dues.

13
14 Mr. Schroeder stated that the County is paying the RPC for a planning services contract.

15
16 Mr. DiNovo stated that the County needs to be clear about the planning services contract because not one
17 penny of that money covers his salary. He said that the indirect charges that are applied to that contract only
18 cover the administrative costs of the top level administration of the Regional Planning Commission. He said
19 that all of his time has to be covered by being charged to specific departments and none of his position is
20 covered by any direct charges. He said that he is supporting this on the balance of funds that are available in
21 the economic development account which are used for marketing functions. He said that the indirect rate
22 that is applied to Ms. Monte's salary pays for the top administration, rent and utilities but it does not pay for
23 his salary.

24
25 Mr. Schroeder asked Mr. DiNovo if any staff time will be required from the Planning and Zoning
26 Department and will there be any shifting of staff from the Planning and Zoning Department to the RPC to
27 complete this project.

28
29 Mr. Hall stated that within the past month he has spent a lot of time on this project and he does not see that
30 time decreasing. He said that regardless of how much the County contracts with the RPC for he still needs
31 to be involved so that he knows as much about what is going on as the Project Manager and the County
32 Planner. He said that the County's costs for his time on this project are not reflected here and he expects it
33 to be more than one-quarter of his time. He said that with less or no project management on the part of the
34 RPC he cannot see how a complicated project like this could be completed without someone at the senior
35 level at the RPC acting as the Project Manager.

36
37 Mr. Schroeder stated that it appears that a Comprehensive Land Use Plan is needed sometime in the future.
38 He asked Ms. Papavasiliou how equal is a "comprehensive plan" versus a land use management plan.

39
40 Ms. Papavasiliou stated that, from a legal standpoint, she does not understand Mr. Schroeder's question.

41
42 Ms. Wysocki asked Ms. Papavasiliou if everyone on the Committee had to raise their hands and swear that a
43 land resource management plan was the County's comprehensive plan, could they do so.

1
2 Ms. Papavasiliou stated yes.
3
4 Mr. DiNovo stated that there is no specific connection between any kind of a plan and the legitimacy of the
5 County's land use decisions. He said that the *LaSalle factors* state, "One of the criteria that the court can
6 take in to account in judging whether a zoning decision is appropriate or not is the care with which the
7 community has planned for its future growth and development." He said that the Supreme Court never
8 referenced any specific plan but referenced the degree of care with which the plan was created. He said that
9 it can be inferred that a good plan will carry more weight than a poor plan but that is about as far as it gets.
10 He said that this is only one factor of nine that the courts can use in evaluating zoning decisions.
11
12 Ms. Wysocki stated Mr. DiNovo indicated that what matters is the amount of care that goes into the creation
13 of a plan regarding planning for needs and issues. She asked if the County is in a precarious position with a
14 Comprehensive Plan which was completed in 1972 and Land Use Goals and Policies which are over 30
15 years old. She asked how we can talk about care in planning when we are relying on structures that are over
16 30 years old. She said that the County and the world have changed considerably and yet the County is still
17 working with these old archaic bits of paper.
18
19 Mr. DiNovo stated that in some instances the Land Use Regulatory Policies are on the books and were
20 adopted in expectation that the Zoning Ordinance was going to be changed. He said that they are now rather
21 specifically and concretely in conflict with what is in the current Zoning Ordinance. He said that he is
22 troubled by the fact that there is such a clear cut contradiction between the County's planning statements
23 and its Ordinance requirements. He said that in terms of the other planning documents they are written in
24 such a way that the conflict is not as precise and the plan is only one of nine criteria that are contained in the
25 *LaSalle County* court case and normally the cases are decided based on other grounds. He said that he is not
26 aware if there are any specific cases in Illinois that have been cited specifically that one criteria. He said
27 that if the County was to try to do something that was unusual, such as transfer of development rights, he
28 would feel much more comfortable if the County had a foundation and planning document for such a
29 program.
30
31 **Mr. Doenitz moved, seconded by Mr. Schroeder to recommend adoption of a resolution supporting**
32 **development of a Land Resource Management Plan for a cost of \$255,000 to be distributed over the**
33 **fiscal years of 2007 through 2009, contingent upon recommendation of approval of a budget**
34 **amendment by the Finance Committee.**
35
36 Mr. Weibel stated that this item would be placed on the May agenda for the Finance Committee.
37
38 Mr. DiNovo stated that having this item placed on the May agenda will not disturb the project schedule. He
39 said that this would mean that the resolution and the Steering Committee would all come before the full
40 County Board at the same time.
41
42 Ms. Anderson asked Mr. DiNovo if he would start putting the Steering Committee together prior to coming
43 to the full County Board.

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Mr. DiNovo stated that people could be contacted to see if they have any interest in being involved on the steering committee.

Ms. Wysocki stated that members of the Steering Committee could not be appointed until June.

The motion carried by voice vote.

7. FY07 Regional Planning Commission County Work Plan (annual plan for the County Special Projects Planner at the RPC)

Mr. Monte stated that Item #7 should be deferred to the May meeting.

Ms. Wysocki agreed.

8. Update on Enforcement Cases

Mr. Hall stated that at the beginning of the meeting he distributed a Report on Outstanding Zoning Enforcement Cases dated April 9, 2007, from the State's Attorney's Office. He said that some of the priority cases are moving forward but it is a very slow process.

Ms. Papavasiliou stated that some of the previous cases have been dropped and at the May meeting she will be able to report on the two foreclosure cases, Meddford and Maxwell, because the deadline for the opposing party to respond is Friday. She said that Mrs. Dorothy Norman, defendant for Case AN-06-06/21, has agreed to deed her property to the County therefore the County will be responsible for demolishing the structure. She said that an appraisal has been completed and the sale of the property will pay for the demolition costs.

Mr. Doenitz asked what happens if the demolition costs are more than the appraisal.

Mr. Hall stated that the Committee has not directed staff to proceed. He noted that the property was appraised very low.

Ms. Papavasiliou stated that Mr. Merkelo has taken some steps to clean up the property. She said that the conditions have improved somewhat and Mr. Merkelo is very hard to contact and her office is trying to determine if he is being represented by an attorney.

Ms. Papavasiliou stated that the Renee Lo property does fall under the jurisdiction of the Environmental Protection Agency and they are currently investigating the property.

Ms. Wysocki asked Ms. Papavasiliou what happened to the cases that have been dropped.

1 Ms. Papvasiliou stated that she did not include those cases in the report because the cases had either been
2 resolved or abated.

3
4 Mr. Schroeder asked if the evidence of fire damage at the Renee Lo property was to the house.
5

6 Mr. Hall stated that he believed that evidence of fire was the burning of garbage and debris on the site. He
7 said that much of the garbage and debris was not from the subject property but had been dumped on to the
8 property.
9

10
11 **9. Proposal to require marking of telephone pedestals in rural areas**
12

13 Mr. Hall stated that Mr. Moser had contacted him requesting the possibility of the County requiring some
14 kind of marking of telephone pedestals. He said that many rights of way are allowed to grow up during part
15 of the season to provide wildlife habitat and when the rights of way are finally mowed it is very common
16 that the vegetation is higher than the pedestals therefore making it easy to destroy the pedestals. He said that
17 he requested comments from the State’s Attorney’s office but he realized that in order for there to be any
18 hope in having a requirement for this season it needed to be on the agenda so that the Committee could
19 discuss it. He said that it is unlikely that the County can pose any requirements regarding marking of
20 telephone pedestals because the utilities are virtually exempt from any regulations.
21

22 Mr. Doenitz stated that as a highway commissioner he has fought this situation. He said that when the rural
23 roads are plowed in the winter telephone pedestals are often hit and destroyed and invariably the township is
24 hit for the costs. He said that the telephone pedestals are commonly located in the township or county right
25 of ways therefore he is constantly fighting this issue. He said that this situation is more of a problem than
26 people realize. He said that the pedestals used to be marked but perhaps due to cutting costs the utilities
27 have ceased doing so therefore if people can’t see the pedestals they can’t be avoided.
28
29

30 **10. Monthly Report**
31 **A. February, 2007**
32 **B. March, 2007**
33

34 Mr. Hall stated that the February, 2007, Monthly Report was included in the mailing and distributed the
35 March, 2007 Monthly Report for the Committee’s review.
36

37 **Mr. Doenitz moved, seconded by Mr. Jones to accept the February, 2007 and March, 2007 Monthly**
38 **Reports and place them on file. The motion carried by voice vote.**
39

40
41 **11. Other Business**
42

43 Mr. DiNovo stated that this could make the whole discussion regarding the Land Use Plan easier. He said

4/09/07

AS APPROVED MAY 14, 2007

ELUC

1 that there is a bill in the Illinois House that would actually provide for regular planning funds for
2 organizations like the Regional Planning Commission and the Regional Planning Commission would be the
3 recipient of the funds. He said that this is HB1134 which for the most part has to do with the Chicago
4 Metropolitan Agency on Planning, it used to be called the Northeastern Illinois Planning Commission, but
5 buried in this bill is a provision that would take one-half of one percent of the State's Highway Project
6 Capital Appropriations and put that in a fund that would be dedicated for the use of metropolitan planning
7 organizations which are created for transportation planning. He said that the Metropolitan Planning
8 Organization for Champaign County is the Regional Planning Commission. He said that 60% of the one-
9 half of a one percent would go to Chicago and 30% would be shared out among the other Metropolitan
10 Planning Organization in the state, including the RPC, and the other 10% would be distributed among the
11 rural counties. He said that the RPC's share of these monies could be between \$300 to \$400 thousand per
12 year. He said that at a staff level one of the things that has been a problem for planning agencies like the
13 RPC is that there is no regular sustained source for funding for the year. He said that one of things that
14 came up in *big.small.all* is that we have no way of funding transportation planning on a county wide scale.
15 He said that there is federal funding available within the boundaries of the urbanized area of Champaign-
16 Urbana and Savoy but there is no money available to do transportation planning anywhere else in the
17 County. He said that there isn't a mechanism to extend the transportation model to include outlying areas.
18 He said that this money would not necessarily be limited to transportation planning and could be applied to
19 planning projects generally. He said that staff would recommend that the County support HB1134 and if the
20 County is interested there is an opportunity to get some local planning money out of the State of Illinois.

21
22 Ms. Wysocki asked if the County should submit a letter endorsing the County Board's support of HB1134.

23
24 Mr. DiNovo stated that he would encourage all County Board members to contact their representatives and
25 support HB1134 but if the full County Board could weigh in on this support it would be advantageous. He
26 said that the *Open Meetings Act* would require that this issue be placed on an agenda prior to taking any
27 action on recommendation.

28
29 Ms. Wysocki stated that ELUC could hold a special meeting prior to the April 19, 2007, County Board
30 meeting. She said that ELUC could make a recommendation for support of HB1134 at that time.

31
32 Mr. Doenitz asked if the funds will come out of the State of Illinois Motor Fuel Tax funds.

33
34 Mr. DiNovo stated that it refers to the capital element of any highway appropriation passed by the State of
35 Illinois. He said that he would clarify whether the funds will come out of local motor fuel tax funds.

36
37 Mr. Doenitz stated that this issue should be clarified prior to a recommendation.

38
39 Mr. DiNovo stated that he agreed because it would be like robbing Peter to pay Paul.

40
41 **The consensus of the Committee was to hold a Special ELUC meeting prior to the April 19, 2007,**
42 **County Board Meeting.**

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12. Determination of Items to be placed on the County Board Consent Agenda

None

13. Adjournment

Mr. Doenitz moved, seconded by Ms. Anderson to adjourn the April 09, 2007, ELUC meeting. The motion carried by voice vote.

The meeting adjourned at 8:09 p.m.

Respectfully submitted,

Secretary to the Environment and Land Use Committee

eluc\minutes\minutes.frm