



CHAMPAIGN COUNTY BOARD ENVIRONMENT and LAND USE COMMITTEE (ELUC) AGENDA

County of Champaign, Urbana, Illinois

Thursday, September 3, 2015 - 6:30 p.m.

Lyle Shields Meeting Room

Brookens Administrative Center, 1776 E. Washington St., Urbana

Committee Members:

Aaron Esry – Chair

Pattsi Petrie

C.Pius Weibel – Vice-Chair

Jon Schroeder

Astrid Berkson

Sam Shore

Stan Harper

- I. Call to Order
- II. Roll Call
- III. Approval of Agenda/Addenda
- IV. Approval of Minutes
 - A. ELUC Committee meeting – August 6, 2015 1 – 3
- V. Public Participation
- VI. Communications
- VII. For Information Only
 - A. Enforcement Update for 1101 Carroll Avenue, Urbana 4
 - B. Proposed FY2016 Budget for Department of Planning & Zoning
 - C. Township Road District Ordinance Establishing Fees Required for Consideration of Proposed Development Projects 5 – 9
 - D. Regulation of Coolants in Closed Loop Geothermal Well Systems to Protect Groundwater 10 – 13
 - E. Proposed Consent Decree 14 – 35
- VIII. Items to be Approved by ELUC
 - A. Recreation & Entertainment Licenses
 1. Recreation & Entertainment License: River to Rail Ride, band, Middle Fork River Forest Preserve Activity Center, 3485 CR2700E, Penfield. September 19, 2015. 36 – 40
- IX. Items for Recommendation to the County Board
 - A. Request to Adopt the Champaign County Multi-Jurisdictional Hazard Mitigation Plan Update 41 – 45

Champaign County will generally, upon request, provide appropriate aids and services leading to effective communication for qualified persons with disabilities. Please contact Administrative Services, 217-384-3776, as soon as possible but no later than 48 hours before the scheduled event.

**CHAMPAIGN COUNTY BOARD
ENVIRONMENT and LAND USE COMMITTEE (ELUC)
Agenda**

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- X. Monthly Reports
 - A. July 2015 46 – 56
- XI. Other Business
- XII. Chair’s Report
- XIII. Semi-Annual Review of Closed Session Minutes
- XIV. Designation of Items to be Placed on Consent Agenda
- XV. Adjournment

Champaign County will generally, upon request, provide appropriate aids and services leading to effective communication for qualified persons with disabilities. Please contact Administrative Services, 217-384-3776, as soon as possible but no later than 48 hours before the scheduled event.



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

MINUTES – SUBJECT TO REVIEW AND APPROVAL

DATE: Thursday, August 6, 2015

TIME: 6:30 p.m.

PLACE: Lyle Shields Meeting Room

Brookens Administrative Center

1776 E Washington, Urbana, IL 61802

Committee Members

Present	Absent
Aaron Esry (Chair)	
C. Pius Weibel (Vice Chair)	
	Astrid Berkson
Stan Harper	
Patti Petrie	
Jon Schroeder	
Sam Shore	

County Staff: Deb Busey (County Administrator), John Hall (Zoning Administrator), Brian Nolan (Recording Secretary)

Others Present: Susan Monte (Regional Planning Commission)

MINUTES

I. Call to Order

Committee Chair Esry called the meeting to order at 6:31 p.m.

II. Roll Call

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

III. Approval of Agenda

Mr. Esry noted the removal of Item VII.A.3 from the agenda. The River to Rail Ride event organizers did not submit all necessary documents; however, the committee will have time to review the Recreation and Entertainment License at the September meeting before the event occurs.

MOTION by Mr. Shore to approve the agenda as amended; seconded by Mr. Harper. Upon vote, the **MOTION CARRIED** unanimously.

IV. Approval of Minutes

A. ELUC Committee meeting – June 4, 2015

MOTION by Mr. Shore to approve the minutes of the June 4, 2015 ELUC meeting as distributed; seconded by Mr. Harper. Upon vote, the **MOTION CARRIED** unanimously.

1 **V. Public Participation**

2 None

3
4 **VI. Communications**

5 Ms. Monte noted that the County's Reuse, Reduce and Recycle webpage has been updated.

6
7 **Mr. Schroder entered the meeting at 6:33 p.m.**

8
9 **VII. Items to be Approved by ELUC**

10 A. *Recreation & Entertainment Licenses*

- 11 1. *Car-X Crazy K, Champaign County Fairgrounds, 1302 North Coler Avenue, Urbana. September*
12 *19, 2015.*

13
14 **MOTION** by Ms. Petrie to approve the Recreation and Entertainment Licenses for Car-X Crazy
15 K, Champaign County Fairgrounds, 1302 North Coler Avenue, Urbana. September 19, 2015; seconded by
16 Mr. Shore. Upon vote, the **MOTION CARRIED** unanimously.

- 17
18 2. *El Dorado Corporation for Mexican rodeo, DJ, band, dancing at the Champaign County Fair*
19 *Association Fairgrounds, 1302 North Coler Avenue, Urbana IL, August 29, 2015.*

20
21 **MOTION** by Mr. Shore to approve the Recreation and Entertainment Licenses for El Dorado Corporation
22 for Mexican rodeo, DJ, band, dancing at the Champaign County Fair Association Fairgrounds, 1302 North
23 Coler Avenue, Urbana IL, August 29, 2015; seconded by Mr. Weibel. Upon vote, the **MOTION CARRIED**
24 unanimously.

25
26 B. *Amendment to FY2015 RPC Planning Contract*

27
28 Ms. Monte reported that the Wilbur Heights project will be completed before subsequent projects
29 are started.

30
31 **MOTION** by Ms. Petrie to approve the amendment to FY2015 RPC Planning Contract; seconded by Mr. Schroeder.
32 Upon vote, the **MOTION CARRIED** unanimously.

33
34 **VIII. Items to be Recommended to the County Board**

35 A. *FY2016 County Planning Contract Proposal*

36
37 **MOTION** by Mr. Harper to recommend to the County Board the FY2016 County Planning Contract
38 Proposal; seconded by Mr. Weibel.

39
40 Ms. Monte reported an increase of hours in the general planning services line item due to a
41 transfer of hours from the LRMP implementation line item. Additionally, the number of hours spent
42 searching for grants will be reduced and additional hours will be assigned to the Wilbur Heights
43 project. The total cost of the contract has been reduced by 4% as advised by the County
44 Administrator.

45
46 Mr. Schroeder asked for clarification in regards to Work Plan ID 16-5, Priority Item 7.2.4b. Ms.
47 Monte explained that the change in total cost and number of hours for this item is due to
48 coordination with the Urbana Park District in order to develop a trail connecting the County east
49 campus to Weaver Park and other area paths and trails. The addition of this task is consistent with
50 the LRMP Transportation Policy.

51
52 Mr. Schroder asked who is directing the River to Rail Ride. Ms. Monte noted that she can provide
53 additional information about the River to Rail Ride in an email update to all ELUC committee

1 members.

2
3 Mr. Harper asked if the Rural Transit Advisory Group (RTAG) was able to receive grant funds. Ms.
4 Monte noted that she can provide additional information in an email update to all ELUC committee
5 members.

6
7 Ms. Busey reported that RTAG will continue services and has received one additional new vehicle;
8 however, their budget has not been finalized due to state budget concerns.

9
10 Ms. Petrie supported the revisions made to the FY2016 County Planning Contract Proposal.
11 Additionally, Ms. Petrie noted that the Urbana Park District will provide funding in coordination
12 with the County in order to complete the trail project.

13
14 Upon vote, the **MOTION CARRIED** unanimously.

15
16 Mr. Esry noted that this item will not be included on the Consent Agenda due to Ms. Petrie's
17 request to bring it before the full County Board for discussion.

18
19 **IX. Items to Receive and Place on File to Allow for a 30 Day Review Period**

20 A. *Adoption of Proposed Champaign County Multi-Jurisdictional Hazard Mitigation Plan (HMP) Update*

21
22 **MOTION** by Mr. Shore to receive and place on file to allow for a 30 day review period the Adoption of the
23 Proposed Champaign County Multi-Jurisdictional Hazard Mitigation Plan (HMP) Update; seconded by Mr.
24 Weibel.

25
26 Ms. Petrie asked Ms. Monte to provide an overview of the update. Ms. Monte noted that 15
27 mitigation actions will be considered over the next 5 years. In 2016, a needs assessment will be
28 conducted to determine vulnerable population's access to community shelter.

29
30 Upon vote, the **MOTION CARRIED** unanimously

31
32 **X. Monthly Reports**

33 A. *May, June 2015*

34
35 **MOTION** by Mr. Esry to accept and place on file the monthly reports for May and June 2015.

36
37 **XI. Other Business**

38 None

39
40 **XII. Chair's Report**

41 None

42
43 **XIII. Designation of Items to be Placed on Consent Agenda**

44 None

45
46 **XIV. Adjournment**

47 **MOTION** by Ms. Petrie to adjourn; seconded by Mr. Harper. Upon vote, the **MOTION CARRIED**
48 unanimously. There being no further business, Mr. Esry adjourned the meeting at 7:49 p.m.

To: **Environment and Land Use Committee**

From: **John Hall**, Director & Zoning Administrator

Date: **August 25, 2015**

Request: **Update on Enforcement Activities for 1101 Carroll Avenue,
Urbana**

BACKGROUND

The property at 1101 Carroll Avenue, Urbana, has been the subject of an enforcement action for violations of the Nuisance Ordinance since December 9, 2009. The violations are garbage and debris and the building is a dangerous structure. The primary building on the subject property burned partially on April 4, 2015. At the April 9, 2015, meeting the Committee authorized a security fence to minimize the chance of trespass on this dangerous structure.

Discussions with the owner indicate that the owner cannot afford to remove the garbage and debris or clean up the remains of the partially burned structure.

The owner agreed to a Consent Judgement that will allow Champaign County to clean up the property and place a lien against the property for the cost of the cleanup.

UPDATE

On August 13, 2015, Invitation to Bid (ITB) 2015-007 was posted for demolition of the structures and removal of the debris from the property. The cost of demolition and debris removal is anticipated to be less than \$30,000. Bids will be opened on September 2, 2015, and a budget amendment will be on the Agenda for the September 8, 2015, Committee of the Whole meeting. If the County Board approves the budget amendment at the September 17, 2015, meeting the partially burned building and all debris should be removed by November 1, 2015.

ITB 2015-007 included an Optional Extra to establish vegetation on the disturbed land area that will result from the demolition and clean up. The establishment of vegetation is not mandatory but is recommended as a best practice. Vegetation cannot be established this late in the growing season. If the County Board chooses to establish vegetation, the vegetation will have to be established next Spring.

Champaign County
Department of

**PLANNING &
ZONING**

**Brookens Administrative
Center**

1776 E. Washington Street
Urbana, Illinois 61802

(217) 384-3708

zoningdept@co.champaign.il.us

www.co.champaign.il.us/zoning

To: **Environment and Land Use Committee**

From: **John Hall**, Director & Zoning Administrator

Date: **August 25, 2015**

Request: **Township Road District Ordinance Establishing Fees Required
for Consideration of Proposed Development Projects**

BACKGROUND

The attached ordinance was adopted by all township road districts in Champaign County on August 24, 2015. The Committee is being made aware of the Ordinance in anticipation of the new fees becoming material in Champaign County Special Use Permit and/ or Zoning Map Amendment cases.

ATTACHMENT

**** TOWNSHIP ROAD DISTRICT
COUNTY OF CHAMPAIGN
STATE OF ILLINOIS**

**AN ORDINANCE ESTABLISHING
FEES REQUIRED FOR CONSIDERATION
OF PROPOSED DEVELOPMENT PROJECTS**

WHEREAS, the Township Highway Commissioner (referred to herein as the "Highway Commissioner") is directed and empowered by the Township Code (60 ILCS 1/73-5) and the Illinois Highway Code (65 ILCS 5/6-101, *et seq.*) to perform responsibilities as to township roads, including to construct, maintain and repair township roads.

WHEREAS, from time to time, property owners, developers and applicants for permits may request special use of or access to township roads and roadway appurtenances, and such requests may require analysis of technical information and/or the negotiation of a contract related to use of township roads.

WHEREAS, the consideration of a proposed development project and the related effect upon township roads and roadway appurtenances may involve technical and complicated issues such that the Highway Commissioner may find the need to utilize and pay for the services of consultants and advisors to provide information and expertise so that the Highway Commissioner is able to reach a judgment on a proposed development project.

WHEREAS, because the requests are principally for the benefit of the party seeking special use of or access to the township roads and roadway appurtenances, the internal and external costs incurred by the Road District should be borne by the entity making the request and not be a burden upon the Road District's taxpayers.

NOW, THEREFORE, BE IT ORDAINED BY THE HIGHWAY COMMISSIONER OF THE ** TOWNSHIP ROAD DISTRICT, CHAMPAIGN COUNTY, ILLINOIS, AS FOLLOWS.

SECTION 1: Retention of Consultants and Advisors. The Highway Commissioner, with prior written notice to the party seeking special use of or special access to the township roads and roadway appurtenances (the "Requesting Party"), may retain outside consultants and advisors with established expertise in disciplines necessary to evaluate proposed development projects which seek special use

of or special access to the township roads and roadway appurtenances to assist the Highway Commissioner in processing requests for action or permission. The Requesting Party shall reimburse the Road District for the cost of such consultants or advisors. The services provided by such consultants and advisors shall be reasonable and customary. Services may include: legal advice related to the negotiation, drafting and execution of a contract granting the Requesting Party special use of or special access to township roads and roadway appurtenances.

- A. The phrase "consultants and advisors" includes, but is not limited to, consulting engineers, planners, traffic experts, attorneys, surveyors, soil analysts, and/or laboratory testing providers.
- B. Costs incurred by consultants and advisors shall also be subject to reimbursement. Such costs may include, but are not limited to, photocopying, messenger and delivery, air freight, computerized research, videotape recording, travel (including mileage, parking, airfare, lodging, meals, and ground transportation), long distance telephone, telecopying and word processing.

SECTION 2: Internal Road District Costs. The Requesting Party, shall reimburse the Road District for the time of Road District employees required for reviews and site inspections at two (2) times the respective actual hourly rate of pay for such employees as established from time to time. Such reimbursement shall include, without further charge, routine secretarial and clerical charges provided however, that extraordinary or overtime clerical or secretarial services required by the Requesting Party to meet a request for an expedited schedule shall be charged to the Requesting Party and shall be drawn automatically from the escrow deposit.

SECTION 3: Reimbursements by the Requesting Party.

- A. **Initial Deposit.** Funds shall be deposited by the Requesting Party in an escrow account, which account shall be used by the Road District for the payment of expenses of consultants and advisors and internal Road District costs and shall automatically be deducted from the deposit as necessary. The obligation of the Requesting Party to reimburse the Road District shall not be limited by the amount on deposit from time to time.
 - 1. For proposed development projects with a total estimated development cost of Five Hundred Thousand Dollars (\$500,000.00) or less, the initial deposit shall be Five Thousand Dollars (\$5,000.00).

2. For proposed development projects with a total estimated development cost of more than Five Hundred Thousand Dollars (\$500,000.00) but less than One Million Dollars, the initial deposit shall be Seven Thousand Five Hundred Dollars (\$7,500.00).
 3. For proposed development projects with a total estimated development cost of more than One Million Dollars (\$1,000,000.00), the initial deposit shall be Ten Thousand Dollars (\$10,000.00).
- B. **Additional Deposit.** Replenishment of the deposited funds in escrow shall be mandatory upon request of the Road District.
 - C. **Submission of Invoices.** Consultants and advisors shall submit invoices to the Road District and fees charged shall be within a range generally chargeable by consultants or advisors in performing similar services. The payment of such invoices shall not be subject to challenge by a Requesting Party if the services provided by consultants or advisors to the Requesting Party itself are provided at a lower pay rate.
 - D. **Return of Funds.** Any portion of a deposit not expended by the Road District shall be refunded to the Requesting Party at such time as no further expenditures or charges by the Road District are reasonably anticipated.

SECTION 4: Failure to Comply. If a Requesting Party fails to comply with any of the provisions of this Ordinance, the Road District, in addition to such other remedies as provided by law or other applicable ordinances, may refuse to:

- A. proceed with any request,
- B. make inspections as otherwise required, or
- C. issue any applicable permit.

SECTION 5: Remedies. In addition to the foregoing remedies, and not by way of limitation, the Road District may bring any action at law to collect any amounts due under any provisions of this Ordinance.

SECTION 6: Severability. If any section, subsection, sentence, clause, phrase or portion of this Ordinance is for any reason held invalid or unconstitutional by any court of competent jurisdiction, such portion shall be deemed a separate, distinct, and independent provision and such holding shall not affect the validity of the remaining portions hereof.

SECTION 7: Effective Date. This Ordinance shall be in full force and effect from and after its passage, approval and publication as provided by law. This Ordinance may be published in pamphlet form.

APPROVED and ADOPTED this 24th day of August, 2015.

**, Highway Commissioner

STATE OF ILLINOIS)
) ss.
COUNTY OF CHAMPAIGN)

I, the undersigned, a Notary Public, do hereby certify that ** whose name is subscribed to the foregoing instrument, appeared before me this day in person and acknowledged that, as the ** Township Highway Commissioner, he signed and delivered AN ORDINANCE ESTABLISHING FEES REQUIRED FOR CONSIDERATION OF PROPOSED DEVELOPMENT PROJECTS, as the free and voluntary act of said Township Road District, for the uses and purposes therein set forth.

Given under my hand and notarial seal August 24, 2015.

Notary Public

To: Environment and Land Use Committee

From: Susan Monte, Planner and John Hall, Zoning Administrator

Date: August 24, 2015

Subject: Regulation of Coolants in Geothermal Wells [Closed Loop System Wells]

Action Requested: Information Only

Background

This review addresses recent concerns expressed regarding the use of toxic coolants in geothermal wells. The task was to explore potential options available to the County Board to consider implementing as a safeguard to avoid the potential for leaking of toxic coolant into groundwater sources.

In Champaign County, the C-U Public Health District Division of Environmental Health administers all aspects of well permitting and follow-up inspection for the installation of wells, including geothermal wells. The County Health Ordinance is based on provisions of the Illinois Water Well Construction Code (77 Illinois Administrative Code, Part 920). Geothermal wells are regulated as a ‘closed loop well system.’ At present, Part 920 of the Illinois Water Well Construction Code contains no restriction regarding the type of coolants used in a closed loop well system. Attachment A is a summary of coolants typically used in closed loop well systems in Illinois.

Section 920.20 of the Water Well Construction Code (77 Illinois Administrative Code, Part 920)—an excerpt of which is shown below-- limits the ability of a non-home rule county such as Champaign County to apply a more restrictive provision to limit or prohibit the use of a toxic coolant in a closed loop well system.

... Part [920] provides minimum standards for the location, construction and modification of water wells, monitoring wells and closed loop wells ... No water well, monitoring well or closed loop well as defined in this Part shall be constructed or modified contrary to the provisions of this Part. (Source: Amended at 37 Ill. Reg. 19676, effective November 25, 2013)

Proposed Amendments to Water Well Construction Code

When contacted recently, David Johnson, Private Water program of the Division of Environmental Health, at the Illinois Department of Public Health, indicated that a proposal to further amend the Water Well Construction Code (77 Illinois Administrative Code, Part 920) is in progress.

Mr. Johnson shared the draft version of proposed changes to Part 920 as of 8/21/15, which is next expected to be subject to the rulemaking process at the Joint Committee on Administrative

Rules (JCAR). Attachment B is an excerpt of the proposed amendments to the Closed Loop Well provisions of the Water Well Construction Code regarding use of ‘heat exchange fluids.’

If these amendments are passed, there will be a further prohibition of one type of toxic coolant which is presently allowed. Mr. Johnson stated, “ethylene glycol which is toxic will no longer be allowable.”

Jim Roberts, Director of Environmental Health at C-U Public Health District, when apprised of the upcoming IDPH proposed amendments to the Water Well Construction Code, suggested that the County await the outcome of that process. His advice is that at such time the proposed amendments to the Water Well Construction Code are adopted, the County should follow-up and consider proposed amendments to the County Health Ordinance to include these and other important changes to the Water Well Construction Code.

Attachments

- A Coolants used in Closed Loop Well Systems
- B Excerpt of Proposed Amendments to Water Well Construction Code

Attachment A Coolants Used in a Closed Loop Well Systems

Methanol (methyl alcohol)	A colorless, toxic, flammable liquid used as an antifreeze, a general solvent, a fuel, and a denaturant for ethyl alcohol. Also called 'carbinol', 'methyl alcohol', 'wood alcohol'.
Ethanol	An alcohol obtained from the fermentation of sugars and starches or by chemical synthesis. It is the intoxicating ingredient of alcoholic beverages, and is also used as a solvent, in explosives, and as an additive to or replacement for petroleum-based fuels. Also called ethyl alcohol, grain alcohol.
Ethylene Glycol	A poisonous, syrupy, colorless alcohol used as an antifreeze in heating and cooling systems that use water. Ethylene glycol is chemically like ethanol but has two hydroxyl (OH) groups instead of one. Also called glycol.
Propylene Glycol or USP Food Grade Propylene Glycol	A form of mineral oil, an alcohol produced by fermentation of yeast and carbohydrates. – gives it the designation of carbohydrate when used in foods. Propylene glycol can be used for the following: As an emulsification agent in Angostura and orange bitters; As a moisturizer in medicines, cosmetics, food, toothpaste, shampoo, mouth wash, hair care and tobacco products; As a carrier in fragrance oils; As an ingredient in massage oils; In hand sanitizers, antibacterial lotions, and saline solutions; As a solvent for food colors and flavorings; As a moisture stabilizer (humectant) for snus (Swedish Style Snuff); As a cooling agent for beer and wine glycol jacketed fermentation tanks; As a non-toxic antifreeze for winterizing drinking water systems; As a less-toxic antifreeze in solar water heating systems; As a coolant in liquid cooling systems; To regulate humidity in a cigar humidior; As an additive to pipe tobacco to prevent dehydration; To treat livestock ketosis; To de-ice aircraft
Water	Alone or with a mixture of another coolant.

ILLINOIS REGISTER

DEPARTMENT OF PUBLIC HEALTH

NOTICE OF PROPOSED AMENDMENTS

Closed loop wells that are constructed in a manner that leaves a casing in the ground shall be grouted in a manner consistent with water wells. Closed loop wells shall not be located closer to water wells and sources of contamination than the minimum separation distances specified in Table C.

- b) Piping Pressure. The installer shall pressure test the well loop as recommended by the manufacturer's specifications.
- c) Heat Exchange Fluid. The heat exchange fluid that is pumped through the closed loop well piping shall be water or a mixture of water and methanol, or ethanol, or United States Pharmacopeia food grade propylene glycol.
- d) Refrigerant. When refrigerant is used with copper piping in a direct exchange system, the refrigerant shall be R-134a, R-290 or any equivalent refrigerant with less ozone depletion potential.
- e) Borehole Piping or Other Department Approved Piping. Piping shall be watertight with a minimum of 160 psi pressure-rated high density polyethylene or equivalent manufactured for the purpose of use in a ground heat exchange system. All copper-piping and joints used in direct expansion heat pump systems shall be watertight and conform to UL 1995
- f) Sealing Requirements for Closed Loop Wells.
 - 1) Heat Exchange Fluid or Refrigerant. All heat exchange fluid or refrigerant shall be removed from the closed loop well system and disposed of off-site in accordance with State and local laws.
 - 2) Piping. All piping left in place in closed loop wells shall be sealed with neat cement grout or any bentonite product manufactured for water well sealing by pressure grouting. The sealing material shall be pumped into the supply of the loop until the sealing material is flowing out of the return of the loop.
 - 3) Open or cased wells shall be sealed according to Section 920.120.
 - 4) Abandoned closed loop wells or those that pose a threat to public health as determined by the Department and its agents shall be brought into compliance with this Section or sealed within 30 days in accordance with subsection (g)(1), (2), (3) and (4) of this Section.

To: Environment and Land Use Committee
From: Susan Monte, Planner
Date: August 24, 2015
Subject: Proposed Consent Decree
Action Requested: Information Only

A proposed consent decree has been drafted between Illinois Attorney General Lisa Madigan, Clinton Landfill, Inc., and 14 local government agencies, which comprise the Mahomet Aquifer Coalition. Each Coalition member local government agency has been asked to review and take action on the proposed agreement. If approved by all parties, the consent decree would resolve the pending litigation regarding the disposal of certain hazardous materials in a landfill located above the Mahomet Aquifer.

The Mahomet Aquifer is the primary source of drinking water for nearly 750,000 people in 14 Illinois counties.

Attachment A contains text of the proposed Consent Decree as of August 21, 2015.

Key points¹ of the proposed Consent Decree are:

1. Clinton Landfill, Inc. agrees to withdraw its application before the United States Environmental Protection Agency for approval to accept Polychlorinated Biphenyl (PCB) waste regulated by the Federal Toxic Substance Control Act in the chemical waste unit at the Clinton Landfill. They further agree not to seek future approval to dispose of said PCB waste in any landfill facility located anywhere in DeWitt County over the Mahomet Aquifer.
2. Clinton Landfill, Inc. agrees to not accept additional Manufactured Gas Plant (MGP) waste with chemical constituents in concentrations exceeding state regulatory limits for toxicity in the chemical waste unit. They also agree to not seek future permission from any regulatory body to accept such MGP waste at any landfill facility located anywhere in DeWitt County over the Mahomet Aquifer.
3. Clinton Landfill, Inc. agrees to cover the MGP waste already disposed of in the chemical waste unit (pursuant to an earlier Illinois EPA approval) with a 12 inch layer of impermeable clay soils. This is to prevent water and other liquids from other waste subsequently disposed of on top of the MGP waste from leaking into the MGP waste.

4. Clinton Landfill, Inc. agrees to have properly licensed environmental testing professionals test the groundwater at Clinton Landfill for the presence of toxic chemicals commonly found in MGP wastes on a semiannual basis. Tests are to be conducted for the remaining operational life of the chemical waste unit and for the post-closure period of time (under current law a minimum of 30 years) and to provide those test results to the Illinois Environmental Protection Agency (EPA).
5. The State of Illinois, through the Illinois Attorney General's Office and the Illinois EPA, reserve the right to pursue any future criminal or civil violations related to any future contamination of the environment from the MGP wastes already accepted at Clinton Landfill, and any remedies available under the law, including but not limited to the removal of the waste material causing the contamination.

The proposed Consent Decree will be considered at the upcoming meeting of the Champaign County Board Committee of the Whole, September 8, 2015 at 6:30 p.m.

Attachment A: Proposed Consent Decree as of August 21, 2015

-
1. Key points are from the City of Champaign summary provided at <http://ci.champaign.il.us/departments/public-works/residents/the-mahomet-aquifer/>

**IN THE CIRCUIT COURT OF THE SIXTH JUDICIAL CIRCUIT
DEWITT COUNTY, ILLINOIS
CHANCERY DIVISION**

PEOPLE OF THE STATE OF ILLINOIS,)
ex rel. LISA MADIGAN, Attorney)
 General of the State of Illinois,)

Plaintiff,)

v.)

CLINTON LANDFILL, INC., an Illinois)
 corporation,)

Defendant.)

No.

Consolidated with

MAHOMET VALLEY WATER AUTHORITY,)
 CITY OF CHAMPAIGN, ILLINOIS, a municipal)
 corporation, DONALD R. GERARD,)
 CITY OF URBANA, ILLINOIS, a municipal corporation,)
 LAUREL LUNT PRUSSING,)
 CITY OF BLOOMINGTON, ILLINOIS,)
 a municipal corporation, COUNTY OF CHAMPAIGN,)
 ILLINOIS, COUNTY OF PIATT, ILLINOIS,)
 TOWN OF NORMAL, ILLINOIS, a municipal)
 corporation, VILLAGE OF SAVOY, ILLINOIS,)
 a municipal corporation, and CITY OF DECATUR,)
 ILLINOIS, a municipal corporation, CITY OF)
 MONTICELLO, ILLINOIS, a municipal corporation,)
 CITY OF TUSCOLA, ILLINOIS, a municipal corporation,)
 VILLAGE OF FORSYTH, ILLINOIS, a municipal)
 corporation, COUNTY OF McLEAN, ILLINOIS,)
 COUNTY OF MACON, ILLINOIS, and)
 DEBORAH FRANK-FEINEN,)

Plaintiffs,)

v.)

CLINTON LANDFILL, INC., an Illinois)
 corporation,)

Defendant.)

No.

CONSENT ORDER

Plaintiff, PEOPLE OF THE STATE OF ILLINOIS, *ex rel.* LISA MADIGAN, Attorney General of the State of Illinois and the Illinois Environmental Protection Agency (“Illinois EPA”) (together, the “State”), and Defendant, CLINTON LANDFILL, INC., an Illinois corporation (“CLI”); and Plaintiffs, MAHOMET VALLEY WATER AUTHORITY, CITY OF CHAMPAIGN, ILLINOIS, a municipal corporation, DONALD R. GERARD, CITY OF URBANA, ILLINOIS, a municipal corporation, LAUREL LUNT PRUSSING, CITY OF BLOOMINGTON, ILLINOIS, a municipal corporation, COUNTY OF CHAMPAIGN, ILLINOIS, COUNTY OF PIATT, ILLINOIS, TOWN OF NORMAL, ILLINOIS, a municipal corporation, VILLAGE OF SAVOY, ILLINOIS, a municipal corporation, CITY OF DECATUR, a municipal corporation, CITY OF MONTICELLO, ILLINOIS, a municipal corporation, CITY OF TUSCOLA, ILLINOIS, a municipal corporation, VILLAGE OF FORSYTH, ILLINOIS, a municipal corporation, COUNTY OF McLEAN, ILLINOIS, COUNTY OF MACON, ILLINOIS, and DEBORAH FRANK-FEINEN, (individually and collectively, the “Local Governmental Plaintiffs”) and Defendant CLI; (collectively, “Parties to the Consent Order”) have agreed to the making of this Consent Order and submit it to this Court for approval.

I. INTRODUCTION

This stipulation of facts is made and agreed upon for purposes of settlement only and as a factual basis for the Court’s entry of the Consent Order and issuance of any injunctive relief. None of the facts stipulated herein shall be introduced into evidence in any other proceeding regarding the violations of the Illinois Environmental Protection Act (“Act”), 415 ILCS 5/1 *et seq.* (2014), and Illinois Pollution Control Board (“Board”) regulations alleged in the State’s

Complaint except as otherwise provided herein. None of the facts stipulated herein shall be introduced into evidence in any other proceeding regarding nuisance alleged in the Local Governmental Plaintiffs' Complaint except as otherwise provided herein. It is the intent of the parties to this Consent Order that it be a final judgment on the merits of this matter.

A. Parties and Background

1. On the same date as entry of this Consent Order, a Complaint was filed on behalf of the People of the State of Illinois *ex rel.* Lisa Madigan, Attorney General of the State of Illinois, on her own motion pursuant to Section 42(d) and (e) of the Act, 415 ILCS 5/42(d) and (e) (2014), against CLI.

2. The Illinois EPA is an administrative agency of the State of Illinois, created pursuant to Section 4 of the Act, 415 ILCS 5/4 (2014).

3. On the same date as entry of this Consent Order, a Complaint was filed by the Local Governmental Plaintiffs against CLI alleging the existence of a nuisance.

4. At all times relevant to the Complaints, CLI was and is an Illinois corporation in good standing with the Illinois Secretary of State's Office.

5. CLI owns and operates a municipal solid waste and special waste landfill located at 9550 Heritage Road, Clinton, unincorporated DeWitt County, Illinois ("Clinton Landfill 3" or "Facility").

6. Clinton Landfill 3 consists of two parts: a 135-acre municipal solid waste unit ("MSWU") and a 22.5-acre portion of Clinton Landfill 3 referred to as of the date of entry of this Consent Order as the Chemical Waste Unit ("CWU"), located within the boundaries of the Facility (and for purposes of this Consent Order, Clinton Landfill 3 consists of the land legally

described in Exhibit A, a copy of which is attached hereto and incorporated by reference into this Consent Order).

7. On November 9, 2012, a complaint was filed with the Illinois Pollution Control Board (“Board”) titled Mahomet Valley Water Authority, City of Champaign, Donald R. Gerard, City of Urbana, Laurel Lunt Prussing, City of Bloomington, County Of Champaign, County Of Piatt, Town of Normal, Village Of Savoy, and City of Decatur, v. Clinton Landfill, Inc., PCB 13-22 (the “Mahomet Valley et al. case” and the “Mahomet Valley et al. case Parties”).

8. On February 7, 2013, the People of the State of Illinois by Attorney General Lisa Madigan intervened in the Mahomet Valley et al. case.

9. On September 19, 2013, the Board granted CLI’s Motion to Dismiss in the Mahomet Valley et al. case.

10. The Mahomet Valley et al. case Parties (Case No. 4-14-0002), and Intervenor the People of the State of Illinois (Case No. 4-14-0020), timely filed appeals with the Fourth District Court of Appeals. At this time, briefing on the appeals is complete and oral argument has been scheduled.

11. On August 28, 2014, CLI filed with the Board a Petition for Review of Permit based on an Illinois EPA-initiated modification (“Modification 47”) of Landfill Permit No. 2005-070-LF. Clinton Landfill, Inc. v. Illinois Environmental Protection Agency, Case No. PCB 15-60.

12. Subsequent modifications of Landfill Permit No. 2005-070-LF have necessitated additional petition filings with the Board because the language from Modification 47 was incorporated into each subsequent modification. Clinton Landfill, Inc. v. Illinois Environmental

Protection Agency, Case Nos. PCB 15-76, PCB 15-111, PCB 15-113, PCB 15-166, PCB 15-194, PCB 15-195, PCB 15-207, and PCB 16-34.

B. Definitions

For the purposes of this Consent Order, the following definitions shall apply:

1. “Manufactured Gas Plant Source Material (“MGP Source Material”)” shall mean any waste generated from the remediation of an MGP site or facility, the analysis of which, if it were tested using Method 1311 (Toxicity Characteristic Leaching Procedure in “Test Methods for Evaluating Solid Waste, Physical/Chemical Methods,” USEPA Publication Number EPA 530/SW-846), would demonstrate that the waste exceeds the regulatory levels for any contaminant given in the table contained in 40 C.F.R. 261.24(b) and 35 Ill. Adm. Code 721.124(b).

2. “Toxic Substances Control Act-polychlorinated biphenyls (“TSCA-PCBs”)” shall mean wastes containing PCBs that are required by the Toxic Substances Control Act to be disposed of in a Chemical Waste Landfill as defined in 40 C.F.R. 761.3.

3. The “Sole Source Aquifer” shall mean the Mahomet Sole Source Aquifer Area as designated by the USEPA effective on March 11, 2015 (as published in 80 Fed. Reg. 14370 (March 19, 2015)).

C. Allegations of Non-Compliance

The State contends that CLI has violated the following provisions of the Act and Board Waste Disposal regulations related to the Facility:

Count I: Waste Disposal in Violation of the Act, in violation of Section 21(d)(2) and (e) of the Act, 415 ILCS 5/21(d)(2) and (e) (2014), and Section 812.105 of the Board Waste Disposal Regulations, 35 Ill. Adm. Code 812.105.

Local Governmental Plaintiffs contend that CLI has created a public nuisance related to the disposal of MGP Source Material at the Facility.

D. Consolidation

On the same date as entry of this Consent Order, the case involving the Local Governmental Plaintiffs' Complaint was consolidated into the case involving the State's Complaint by the Court, on the Agreed Motion to Consolidate filed by the Parties to the Consent Order.

E. Non-Admission of Violations

CLI represents that it has entered into this Consent Order for the purpose of settling and compromising disputed claims without having to incur the expense of contested litigation. By entering into this Consent Order and complying with its terms, CLI does not affirmatively admit the allegations of violation within the Complaints and referenced above, and this Consent Order shall not be interpreted as including such admission.

II. APPLICABILITY

A. This Consent Order shall apply to and be binding upon the Parties to the Consent Order and shall constitute a covenant running with the real property that is the site of Clinton Landfill 3 (*see* Exhibit A) and thereby apply to and be binding upon all successors in ownership or interest to said real property. The Parties to this Consent Order agree that it shall be filed for record in the office of the DeWitt County Clerk and Recorder. CLI waives as a defense to any enforcement action taken pursuant to this Consent Order the failure of any of its officers, directors, agents, employees or successors or assigns to take such action as shall be required to comply with the provisions of this Consent Order.

B. No change in ownership, corporate status or operator of the Facility shall in any way alter the responsibilities of CLI or the State under this Consent Order. CLI shall provide a copy of this Consent Order to any purchaser of the Facility or successor in interest to CLI as owner of the Facility. This provision does not relieve CLI from compliance with any regulatory requirement regarding notice and transfer of applicable Facility permits.

III. JUDGMENT ORDER

This Court has jurisdiction of the subject matter herein and of the Parties to the Consent Order and, having considered the stipulated facts and being advised in the premises, finds the following relief appropriate:

IT IS HEREBY ORDERED, ADJUDGED AND DECREED:

A. CLI's Commitments

1. Within seven (7) days of entry of this Consent Order, CLI shall move to dismiss the permit appeals currently pending before the Board, Clinton Landfill, Inc. v. Illinois Environmental Protection Agency, Case Nos. PCB 15-60, PCB 15-76, PCB 15-111, PCB 15-113, PCB 15-166, PCB 15-194, PCB 15-195, PCB 15-207, and PCB 16-34.

2. On May 29, 2015, CLI filed a withdrawal of its request with the United States Environmental Protection Agency ("USEPA") for approval to dispose of TSCA-PCBs at the CWU at Clinton Landfill 3. CLI shall not submit an application to USEPA at any time in the future for approval to dispose of TSCA-PCBs at or within the boundaries of the real estate presently known as Clinton Landfill 3.

3. As of the date of entry of this Consent Order and until such time as CLI meets all the requirements set forth in the Permit 2005-070-LF, including closure and post-closure care, CLI shall not seek to obtain approval to accept TSCA-PCBs at the Facility.

4. As of the date of entry of this Consent Order and until such time as CLI meets all the requirements set forth in the Permit 2005-070-LF, including closure and post-closure care, CLI shall not accept for disposal at or within the boundaries of the real estate presently known as Clinton Landfill 3, any MGP Source Material.

5. a. Notwithstanding any subsequent modifications to Permit 2005-070-LF, CLI shall at a minimum, semi-annually monitor groundwater monitoring wells located downgradient of Cell CWU-1A, namely: G40M, G40D, G40R, G47M, G47D, G47R, G48M, G48D, G48R, G49S, G49M, G49D, G49R, G50S, G58M, G58D, G59D, and G59R at the Facility for the following parameters:

- a) Acenaphthene
- b) Acenaphthylene
- c) Anthracene;
- d) Benzene;
- e) Benzo(a)anthracene
- f) Benzo(a)pyrene
- g) Benzo(b)fluoranthene
- h) Benzo(ghi)perylene
- i) Benzo(k)fluoranthene
- j) Chrysene
- k) Pentachlorophenol
- l) Dibenzo(a,h)anthracene
- m) Ethylbenzene
- n) Fluoranthene
- o) Indeno(1,2,3-cd)pyrene
- p) Naphthalene
- q) Phenanthrene
- r) Pyrene
- s) Toluene
- t) Xylenes-Total

b. The requirements in Paragraph III.A.5 shall remain in effect until such time as CLI completes closure and post-closure care, as required in conformity with all applicable permits, statutes, and Board regulations.

c. Laboratory analysis of the groundwater monitoring conducted pursuant to this Paragraph III.A.5 shall be performed and reported by a laboratory that holds NELAP/TNI (National Environmental Laboratory Accreditation Program/The NELAC Institute) or equivalent certification. The Parties acknowledge that the Illinois EPA has the existing legal authority to split samples with CLI and to conduct testing at Clinton Landfill 3.

6. As of the date of entry of this Consent Order, CLI shall comply with all terms and conditions of Illinois EPA Landfill Permit No. 2005-070-LF, currently and as modified.

7. This Consent Order in no way affects the responsibilities of CLI to comply with any other federal, state or local laws or regulations, including but not limited to the Act.

8. The existing MGP Source Material within the CWU is currently covered with a minimum of 12 inches of clean soil as an “intermediate cover,” as is required by the Illinois EPA regulations. In addition to and directly above that intermediate cover layer, CLI shall place an additional 12 inches of clean, select clayey soil of the same type that has proven to meet the Illinois EPA low permeability requirements for landfill cell compacted clay liner construction (low permeability compacted cohesive earth liner with hydraulic conductivity no greater than 1×10^{-7} cm/sec). CLI or its contractor shall compact the additional 12 inches of said select clayey soil using the same equipment and methods utilized when constructing compacted clay liners for landfill cells. This relatively impermeable cap will minimize if not prevent altogether “new” water from coming into contact with the MGP Source Material. The existing leachate collection system beneath the MGP Source Material will ensure that any liquid that might be released from the MGP Source Material over time will be effectively collected and removed for proper management.

9. CLI shall not accept for disposal, apply for permits or authority to dispose, or file or seek to obtain local siting approval pursuant to Section 39.2 of the Act from the DeWitt County Board (or from the governing body of a municipality if in an incorporated area in the future) for the disposal of TSCA-PCBs or MGP Source Material on any real estate that is located over the Sole Source Aquifer in DeWitt County, Illinois, at any time.

10. CLI shall seek to have Landfill Permit No. 2005-070-LF modified by the Illinois EPA consistent with the terms of this Consent Order.

B. State's Stipulations

1. The State stipulates that it is resolving the allegations of its Complaint filed herein without requiring CLI to exhume the MGP Source Material currently disposed of in the CWU at the Facility, based on the violations alleged in the Complaint filed herein.

2. The State stipulates that CLI is not required to obtain any additional local siting approval from the DeWitt County Board for the CWU, provided that the CWU is not used for the disposal of MGP Source Material or TSCA-PCBs after the date of entry of this Order, and hereafter the CWU only accepts municipal solid waste, non-hazardous special waste, certified non-special wastes, and such other wastes that CLI is permitted to accept at the MSWU at the Facility.

3. Within seven (7) days of entry of this Consent Order, the State shall move to dismiss its appeal in Case No. 4-14-0020 filed with the Fourth District Court of Appeals.

C. Local Governmental Plaintiffs' Stipulations

1. The Local Governmental Plaintiffs stipulate that each of them is resolving the allegations of their Complaint filed herein without requiring CLI to exhume the MGP Source Material currently disposed of in the CWU at the Facility, and the Local Governmental Plaintiffs

stipulate that each of them will never require CLI to exhume the MGP Source Material currently disposed of in the CWU at the Facility.

2. Within seven (7) days of entry of this Consent Order, the Mahomet Valley et al. case Parties shall move to dismiss their appeal in Case No. 4-14-0002 filed with the Fourth District Court of Appeals.

3. a. On July 14, 2015, the MAHOMET VALLEY WATER AUTHORITY repealed its Ordinance No. 68.

b. The MAHOMET VALLEY WATER AUTHORITY shall adopt no ordinance prior to January 1, 2016, that concerns the subject matter at issue in repealed Ordinance No. 68; provided, however, that nothing herein shall prohibit the MAHOMET VALLEY WATER AUTHORITY from taking legislative action that concerns the subject matter of repealed Ordinance No. 68 prior to January 1, 2016, in the event: (i) CLI files a significant permit modification request seeking a substantial change in the operations, design or regulated status of the Facility that would allow the Facility to dispose of wastes which are not currently allowed under RCRA Subtitle D regulations; or (ii) CLI seeks approval to dispose of new waste stream(s) at the Facility for which it does not have permit authority as of the date of this Consent Order. If this Paragraph III.C.3.b is determined by a court of competent jurisdiction to be invalid, void or unenforceable, the remaining provisions in this Consent Order shall remain in full force and effect and shall in no way be affected, impaired or invalidated thereby.

c. CLI shall have the right to enforce the requirements in this Paragraph III.C.3 against the MAHOMET VALLEY WATER AUTHORITY alone; the other Parties shall not be joined in any such enforcement action.

4. The COUNTY OF CHAMPAIGN, ILLINOIS and the COUNTY OF McLEAN, ILLINOIS each agree that if it is presented with an application for the siting and development of a transfer station and recycling center by CLI or any of its affiliates, such COUNTY will consider in good faith whether same is consistent with the solid waste management plan adopted by the COUNTY in accordance with the Local Solid Waste Disposal Act and/or the Solid Waste Planning and Recycling Act.

D. Enforcement and Modification of Consent Order

1. This Consent Order is a binding and enforceable order of this Court. This Court shall retain jurisdiction of this matter and shall consider any motion by any party for the purposes of interpreting and enforcing the terms and conditions of this Consent Order. The Parties to the Consent Order agree that notice of any subsequent proceeding to enforce this Consent Order may be made by mail and waives any requirement of service of process.

2. The Parties to the Consent Order may, by mutual written consent, extend any compliance dates or modify the terms of this Consent Order without leave of this Court. A request for any modification shall be made in writing and submitted to the designated representatives. Any such request shall be made by separate document, and shall not be submitted within any other report or submittal required by this Consent Order. Any such agreed modification shall be in writing and signed by authorized representatives of each party, for filing and incorporation by reference into this Consent Order.

E. Dispute Resolution

The Parties to the Consent Order may seek to informally resolve disputes arising under this Consent Order. The Parties to the Consent Order reserve the right to seek enforcement by

the Court where any other party has failed to satisfy any compliance deadline or has violated any provision within this Consent Order.

F. Notice and Submittals

The submittal of any notice or other documents required under this Consent Order shall be delivered to the following designated representatives:

As to the State Plaintiffs

Stephen J. Sylvester
Jennifer A. Van Wie
Assistant Attorneys General
Environmental Bureau
Illinois Attorney General's Office
69 W. Washington Street, Suite 1800
Chicago, Illinois 60602

James Jennings
Assistant Counsel, Division of Legal Counsel
Illinois Environmental Protection Agency
1021 North Grand Avenue East
P.O. Box 19276
Springfield, Illinois 62794-9276

Steve Nightingale
Manager, Bureau of Land, Permits Section
Illinois Environmental Protection Agency
1021 North Grand Avenue East
P.O. Box 19276
Springfield, Illinois 62794-9276

As to CLI

Brian Meginnes
Janaki Nair
Elias, Meginnes & Seghetti, P.C.
416 Main Street, Suite 1400
Peoria, Illinois 61602-1611

Royal J. Coulter, President
Clinton Landfill, Inc.
4700 N. Sterling Avenue
Peoria, Illinois 61615

As to Local Governmental Plaintiffs

City of Champaign
City Attorney
Office of City Attorney
102 N. Neil Street
Champaign, Illinois 61820

City of Champaign
City Manager
Office of City Manager
102 N. Neil Street
Champaign, Illinois 61820

Town of Normal
Corporation Counsel
Office of Corporation Counsel
11 Uptown Circle
Normal, Illinois 61761

Town of Normal
City Manager
Office of City Manager
11 Uptown Circle
Normal, Illinois 61761

City of Decatur
Corporation Counsel
Office of Corporation Counsel
Decatur Civic Center
1 Gary K. Anderson Plaza – 3rd Floor
Decatur, Illinois 62523

City of Decatur
City Manager
Office of City Manager
Decatur Civic Center
1 Gary K. Anderson Plaza – 3rd Floor
Decatur, Illinois 62523

G. Release from Liability

In consideration of CLI's commitments as set forth in Section III.A., the State and the Local Governmental Plaintiffs release, waive and discharge CLI from any liability, penalties,

and/or fines for the violations of the Act or in nuisance, respectively, that were the subject matter of the Complaints or are otherwise addressed herein. The release set forth above does not extend to any matters other than those expressly specified in the Complaints filed on the same date as entry of this Consent Order, or in this Consent Order. The State and the Local Governmental Plaintiffs reserve, and this Consent Order is without prejudice to, all rights of the State of Illinois and the Local Governmental Plaintiffs against CLI with respect to all matters not expressly addressed herein, including but not limited to the following:

- a. criminal liability;
- b. liability for future violations;
- c. liability for natural resources damage arising out of the alleged violations; and
- d. CLI's failure to satisfy the requirements of this Consent Order.

Nothing in this Consent Order is intended as a waiver, discharge, release, or covenant not to sue for any claim or cause of action, administrative or judicial, civil or criminal, past or future, in law or in equity, which the State of Illinois or the Local Governmental Plaintiffs may have against any person, as defined by Section 3.315 of the Act, 415 ILCS 5/3.315, other than CLI.

H. Execution and Entry of Consent Order

This Order shall become effective only when executed by all Parties to the Consent Order and the Court. This Order may be executed by the parties in one or more counterparts, all of which taken together shall constitute one and the same instrument. The undersigned representatives for each party certify that they are fully authorized by the party whom they represent to enter into the terms and conditions of this Consent Order and to legally bind them to it.

WHEREFORE, the parties, by their representatives, enter into this Consent Order and submit it to this Court that it may be approved and entered.

AGREED:

FOR THE STATE PLAINTIFF:

PEOPLE OF THE STATE OF ILLINOIS
ex rel. LISA MADIGAN
Attorney General of the State of Illinois

ILLINOIS ENVIRONMENTAL
PROTECTION AGENCY

MATTHEW J. DUNN, Chief
Environmental Enforcement/
Asbestos Litigation Division

LISA BONNETT, Director
Illinois Environmental Protection Agency

BY: _____
ELIZABETH WALLACE, Chief
Assistant Attorney General
Environmental Bureau

BY: _____
JOHN J. KIM
Chief Legal Counsel

DATE: _____

DATE: _____

**FOR THE LOCAL GOVERNMENTAL
PLAINTIFFS:**

MAHOMET VALLEY WATER
AUTHORITY

CITY OF CHAMPAIGN, ILLINOIS, a
municipal corporation

By: _____

By: _____

Its: _____

Its: _____

DATE: _____

DATE: _____

DONALD R. GERARD

LAUREL LUNT PRUSSING

DATE: _____

DATE: _____

CITY OF URBANA, ILLINOIS, a municipal corporation

By: _____

Its: _____

DATE: _____

CITY OF BLOOMINGTON, ILLINOIS, a municipal corporation

By: _____

Its: _____

DATE: _____

COUNTY OF CHAMPAIGN, ILLINOIS

By: _____

Its: _____

DATE: _____

COUNTY OF PIATT, ILLINIOS

By: _____

Its: _____

DATE: _____

TOWN OF NORMAL, ILLINOIS, a municipal corporation

By: _____

Its: _____

DATE: _____

VILLAGE OF SAVOY, ILLINOIS, a municipal corporation

By: _____

Its: _____

DATE: _____

CITY OF DECATUR, ILLINOIS, a municipal corporation

By: _____

Its: _____

DATE: _____

CITY OF MONTECELLO, ILLINOIS, a municipal corporation

By: _____

Its: _____

DATE: _____

CITY OF TUSCOLA, ILLINOIS, a municipal corporation

By: _____

Its: _____

DATE: _____

VILLAGE OF FORSYTH, ILLINOIS, a municipal corporation

By: _____

Its: _____

DATE: _____

COUNTY OF McLEAN, ILLINOIS

COUNTY OF MACON, ILLINOIS

By: _____

By: _____

Its: _____

Its: _____

DATE: _____

DATE: _____

DEBORAH FRANK-FEINEN

By: _____

Its: _____

DATE: _____

FOR CLI:

CLINTON LANDFILL, INC.

BY: _____

Its: _____

Title of Signatory

DATE: _____

IT IS SO ORDERED.

ENTERED:

JUDGE

DATE: _____

EXHIBIT A

LEGAL DESCRIPTION OF SITE (Clinton Landfill No. 3)

The approximately 269 acre site is located approximately 2 miles south of Clinton, Illinois east of U.S. Highway 51, in Texas Township, DeWitt County, Illinois. The site is legally described as follows:

Part of the Northeast Quarter and the Southeast Quarter of Section 10, Township Nineteen (19) North, Range Two (2) East; the Northwest Quarter and the Southwest Quarter of Section 11, Township Nineteen (19) North, Range Two (2) East; and the Northwest Quarter of the Northeast Quarter and the North Half of the Northwest Quarter of Section 14, Township Nineteen (19) North, Range Two (2) East, all situated in Dewitt County, Illinois and more particularly described as follows;

Commencing at the Southwest corner of the Northeast Quarter of said Section 10; thence N.88°36'34"E., 345.56 feet along the South line of the Northeast Quarter of said Section 10 to the Point of Beginning; thence N.0°00'05"W., 63.49 feet to the Northerly Right of Way line of a township road; thence S.89°59'55"W., 60.00 feet along the said Northerly Right of Way line; thence S.17°16'48" W., 47.13 feet along the said Northerly Right of Way line; thence N.87°43'00"W., 124.87 feet along said Northerly Right of way to the Easterly Right of Way line of F.A. Route 412 (US Route 51); thence N.0°19'42"E., 82.61 feet along said Easterly Right of Way line; thence N.5°22'57"W., 100.50 feet along said Easterly Right of Way line; thence N.0°19'42"E., 88.93 feet along said Easterly Right of Way line; thence N.88°36'34"E., 2530.01 feet to the East line of the Northeast Quarter of said Section 10; thence N.88°25'40"E., 204.15 feet to the East Right of Way line of the now abandoned Illinois Central Gulf Railroad; thence S.0°20'22"E., 300.05 feet along the said East Right of Way to the North line of the Southwest Quarter of said Section 11; thence N.88°25'40"E., 2444.08 feet along the North line of the Southwest Quarter of said Section 11 to the iron pin at the Northeast corner of the Southwest Quarter of said Section 11; thence S.0°11'27"W., 1319.68 feet along the East line of the Northeast Quarter of the Southwest Quarter of said Section 11 to the iron pin at the Southeast corner of the Northeast Quarter of the Southwest Quarter of said Section 11; thence S.0°20'57"W., 1336.42 feet along the East line of the Southeast Quarter of the Southwest Quarter of said Section 11 to the iron pin at the Southeast Corner of the Southwest Quarter of said Section 11; thence S.0°29'23"W., 196.82 feet along the West line of the Northwest Quarter of the Northeast Quarter of said Section 14; thence S.37°48'15"E., 884.21 feet; thence South, 427.15 feet to the South line of the Northwest

Quarter of the Northeast Quarter of said Section 14; thence S.88°41'09"W., 549.84 feet along the South line of the Northwest Quarter of the Northeast Quarter of said Section 14 to the iron pin at the Southwest Corner of the Northwest Quarter of the Northeast Quarter of said Section 14; thence S.88°34'49"W., 1167.00 feet along the South line of the North Half of the Northwest Quarter of said Section 14; thence N.65°24'32"W., 1454.56 feet; thence West, 143.42 feet; thence N.0°20'22"W., 298.81 feet; thence N.0°20'22"W., 2805.20 feet; thence N.45°45'22"W., 222.93 feet; thence S.88°23'08"W., 950.46 feet; thence S.12°26'12"W., 316.59 feet; thence N.76°33'13"W., 1149.56 feet; thence N.0°00'05"W., 96.51 feet to the Point of Beginning and containing 268.804 acres more or less.

Part of 12-10-400-003



STATE OF ILLINOIS,
 Champaign County
 Application for:
 Recreation & Entertainment License

Applications for License under County Ordinance No. 55 Regulating Recreational & Other Businesses within the County (for use by businesses covered by this Ordinance other than Massage Parlors and similar enterprises)

For Office Use Only	
License No.	<u>2015-EMT-34</u>
Date(s) of Event(s)	<u>9-19-15</u>
Business Name	<u>CC Forest Preserve</u>
License Fee:	\$ <u>10.00</u>
Filing Fee:	\$ <u>4.00</u>
TOTAL FEE:	\$ <u>14.00</u>
Checker's Signature	<u>[Signature]</u>

Filing Fees:	Per Year (or fraction thereof):	\$ 100.00
	Per Single-day Event:	\$ 10.00
	Clerk's Filing Fee:	\$ 4.00

Checks Must Be Made Payable To: Gordy Hulten, Champaign County Clerk

The undersigned individual, partnership, or corporation hereby makes application for the issuance of a license to engage a business controlled under County Ordinance No. 55 and makes the following statements under oath.

- A.
1. Name of Business: Champaign County Forest Preserve District
 2. Location of Business for which application is made: Middle Fork River Forest Preserve, 3ABSCR 2700E, Peoria IL 61662
 3. Business address of Business for which application is made: _____
 4. Zoning Classification of Property: Conservation / Recreation
 5. Date the Business covered by Ordinance No. 55 began at this location: _____
 6. Nature of Business normally conducted at this location: Local Government, Forest Preserve
 7. Nature of Activity to be licensed (include all forms of recreation and entertainment to be provided): Bike Ride & Lunch
 8. Term for which License is sought (specifically beginning & ending dates): _____
9/19/2015

(NOTE: All annual licenses expire on December 31st of each year)

9. Do you own the building or property for which this license is sought? yes
10. If you have a lease or rent the property, state the name and address of the owner and when the lease or rental agreement expires: _____
11. If any licensed activity will occur outdoors attach a Site Plan (with dimensions) to this application showing location of all buildings, outdoor areas to be used for various purposes and parking spaces. See page 3, Item 7.

INCOMPLETE FORMS WILL NOT BE CONSIDERED FOR A LICENSE AND WILL BE RETURNED TO APPLICANT

- B. If this business will be conducted by a person other than the applicant, give the following information about person employed by applicant as manager, agent or locally responsible party of the business in the designated location:

Name: _____ Date of Birth: _____
Place of Birth: _____ Social Security No.: _____
Residence Address: _____
Citizenship: _____ If naturalized, place and date of naturalization: _____

If, during the license period, a new manager or agent is hired to conduct this business, the applicant **MUST** furnish the County the above information for the new manager or agent within ten (10) days.

Information requested in the following questions must be supplied by the applicant, if an individual, or by all members who share in profits of a partnership, if the applicant is a partnership.

If the applicant is a corporation, all the information required under Section D must be supplied for the corporation and for each officer.

Additional forms containing the questions may be obtained from the County Clerk, if necessary, for attachment to this application form.

- C. 1. Name(s) of owner(s) or local manager(s) (include any aliases): _____
Date of Birth: _____ Place of Birth: _____
Social Security Number: _____ Citizenship: _____
If naturalized, state place and date of naturalization: _____
2. Residential Addresses for the past three (3) years: _____

3. Business, occupation, or employment of applicant for four (4) years preceding date of application for this license: _____

EACH OFFICER MUST COMPLETE SECTION D. OBTAIN ADDITIONAL FORM PAGES IF NEEDED FROM THE COUNTY CLERK AND ATTACH TO THIS APPLICATION WHEN FILED

- D. Answer **only** if applicant is a Corporation.

1. Name of Corporation exactly as shown in articles of incorporation and as registered _____
2. Date of Incorporation: _____ State wherein incorporated _____

3. If foreign Corporation, give name and address of resident agent in Illinois:

Give first date qualified to do business in Illinois: _____

4. Business address of Corporation in Illinois as stated in Certificate of Incorporation:

5. Objects of Corporation, as set forth in charter: _____

6. Names of all Officers of the Corporation and other information as listed:

Name of Officer: _____ Title: _____

Date elected or appointed: _____ Social Security No.: _____

Date of Birth: _____ Place of Birth: _____

Citizenship: _____

If naturalized, place and date of naturalization: _____

Residential Addresses for past three (3) years: _____

Business, occupation, or employment for four (4) years preceding date of application for this license: _____

7. A site plan (with dimensions) must accompany this application. It must show the location of all buildings, outdoor areas to be used for various purposes and parking spaces.

AFFIDAVIT

(Complete when applicant is an **Individual or Partnership**)

I/We swear that I/we have read the application and that all matters stated thereunder are true and correct, are made upon my/our personal knowledge and information and are made for the purpose of inducing the County of Champaign to issue the permit hereunder applied for.

I/We further swear that I/we will not violate any of the laws of the United States of America or of the State of Illinois or the Ordinances of the County of Champaign in the conduct of the business hereunder applied for.

Signature of Owner or of one of two members of Partnership

Signature of Owner or of one of two members of Partnership

Daniel J. Olson

Signature of Manager or Agent

Subscribed and sworn to before me this 5th day of August, 2015



Mary Beck

Notary Public

AFFIDAVIT

(Complete when applicant is a **Corporation**)

We, the undersigned, president and secretary of the above named corporation, each first being duly sworn, say that each of us has read the foregoing application and that the matters stated therein are true and correct and are made upon our personal knowledge and information, and are made for the purpose of inducing the County of Champaign to issue the license herein applied for.

We further swear that the applicant will not violate any of the laws of the United States of America or of the State of Illinois or the Ordinances of the County of Champaign in the conduct of applicant's place of business.

We further swear that we are the duly constituted and elected officers of said applicant and as such are authorized and empowered to execute their application for and on behalf of said application

Signature of President

Signature of Secretary

Signature of Manager or Agent

Subscribed and sworn to before me this _____ day of _____, 20____

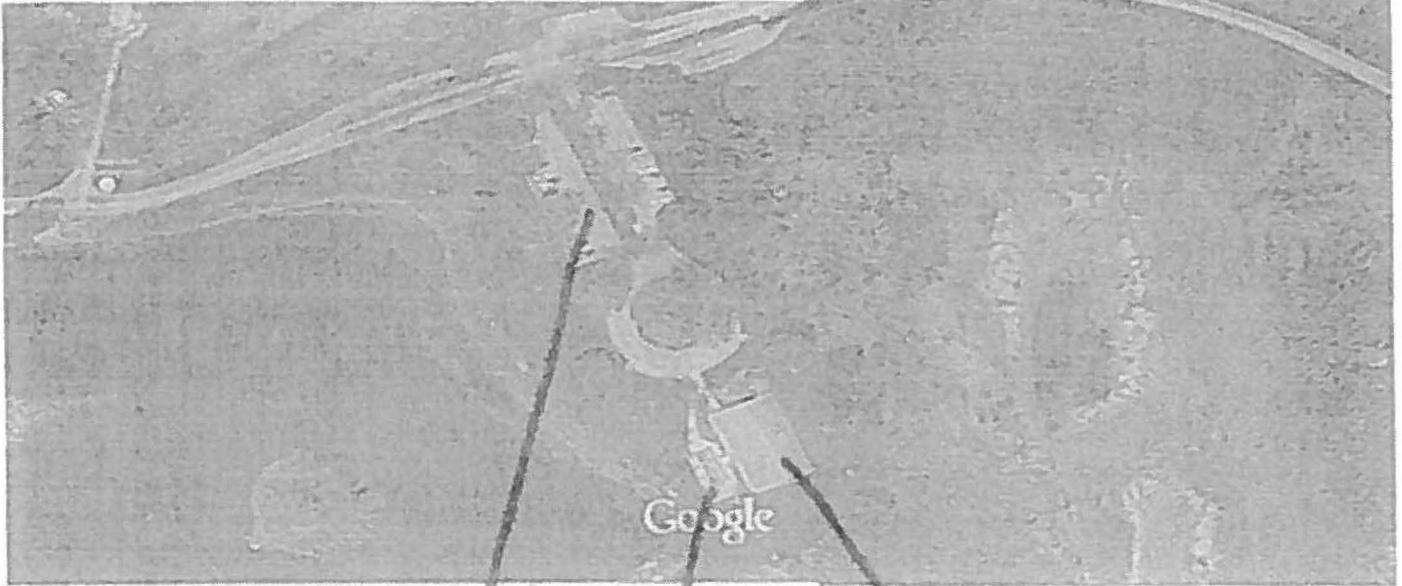
Notary Public

This COMPLETED application along with the appropriate amount of cash, or certified check made payable to GORDY HULTEN, CHAMPAIGN COUNTY CLERK, must be turned in to the Champaign County Clerk's Office, 1776 E. Washington St., Urbana, Illinois 61802. A \$4.00 Filing Fee should be included

Google Maps

Middle Fork Forest Preserve, ...
Pentfield, IL 61852
630.577.2434 • 815.453.9773

→ main entrance



Traffic & Cycling Directions

Imagery ©2015 Google, Map data ©2015 Google 50 ft

Parking Lot

Activity Center

- * FOOD
- * BEER

outside patio
 (if weather permits
 people will sit
 outside to
 eat & listen
 to band)

REDACTED

DATE: August 26, 2015
TO: Environment and Land Use Committee
FROM: Susan Monte, RPC Planner
RE: Champaign County Multi-Jurisdictional Hazard Mitigation Plan (HMP) Update
ACTION
REQUEST: Recommend County Board Adoption

Update

ELUC reviewed the attached memorandum at their August meeting, and placed the item on hold for one month to allow for additional review and comment.

The request for a recommendation for County Board approval of the HMP Update returns to ELUC at this time.

Attachment: CCRPC Memorandum to Environment and Land Use Committee dated July 29, 2015



DATE: July 28, 2015
 TO: Environment and Land Use Committee
 FROM: Susan Monte, RPC Planner
 RE: Champaign County Multi-Jurisdictional Hazard Mitigation Plan (HMP) Update
 ACTION REQUEST: ELUC Review and Hold for One Month Prior to Recommending County Board Adoption

Background

The Champaign County Multi-Jurisdictional Hazard Mitigation Plan (HMP) is a guiding document developed to increase awareness of potential natural hazards and certain technical hazards and potential losses from hazard events. The HMP is developed to be useful to each participating jurisdiction. HMP participants include: Champaign County, each of 24 municipalities within or partially within Champaign County, Parkland College, and the University of Illinois at Urbana-Champaign.

The HMP contains the following information specific the HMP Plan Area:

- profiles of selected natural and technical hazards;
- hazards risk assessments;
- hazard mitigation goals;
- jurisdiction-specific mitigation action implementation schedule;
- schedule to monitor, evaluate and update the HMP; and
- information regarding opportunities for continued public involvement.

The HMP meets planning criteria of the Disaster Mitigation Act of 2000 including specific planning objectives established by the Federal Emergency Management Agency (FEMA): coordination among agencies, integration with other planning efforts & existing programs, and state coordination of local mitigation planning. The HMP is required to be updated every five years, and to be adopted by each participating local government body.

The existing HMP was adopted by Champaign County and each participating local government in 2009. In May, 2014, the Illinois Emergency Management Agency (IEMA) and Champaign County entered into an agreement to develop an updated HMP for FEMA review and approval. Over the past year, the HMP planning team (including key public safety and emergency responder representatives in the area) have guided the update process, reviewed proposed updates to the HMP. Attachment A is a summary of proposed hazard mitigation actions for Champaign County.

FEMA and IEMA staff have reviewed the HMP Update Preliminary Review Draft dated June 5, 2015 and provided the attached 'Meets Requirements' letter (Attachment B). The Preliminary Draft is available for review at: http://champaigncountyhmp.info/?page_id=332. The proposed Final Draft HMP Update dated August 3, 2015 will be available for review at: <http://champaigncountyhmp.info>.

Final steps in the update process are to obtain a resolution adopting the HMP Update from the Champaign County Board and from each governing body of participating municipalities. This request is that ELUC recommend the County Board adopt the HMP Update.

Attachments:

- A Summary of HMP Proposed Hazard Mitigation Actions for Champaign County
- B FEMA Meets Requirements Letter dated July 23, 2015

Table 4-2. Prioritized Mitigation Actions by Jurisdiction

Jurisdiction: Champaign County

Hazards Addressed	Priority	Mitigation Action	Status	Notes
All	1	1) Educate public and disseminate information regarding all hazards and preventative and preparedness safety procedures to population via community meetings, presentations to groups, displays, press, and media	ONGOING	Mitigation Action #1 and former Mitigation Action #5 were combined in the broader version now shown. CCEMA disseminates timely preventative measures and preparedness information on its official website; CUPHD sponsors the 'Champaign County Prepares' website. Responsible Parties: CCEMA and CUPHD Funding Source: federal, state, local or grant
All	1	2) Promote the use of an area-wide warning text message system such as Alert Sense®, the American Red Cross tornado warning application, or others.	ONGOING	Promoted by CCEMA on its official website and, as possible, at public venues. Responsible Party: CCEMA Funding Source: local
T, SS, SWS	1	3) Participate in the National Weather Service StormReady® program.	ONGOING	Champaign County is a StormReady® county. Responsible Party: CCEMA Funding Source: local
All	2	4) Encourage use of NOAA all-hazard radios in residences and businesses throughout unincorporated area.	ONGOING	CCEMA encourages use of all-hazard radios on its official website and, as possible, at public venues. Responsible Party: CCEMA Funding Source: local or grant
All	2	5) When appropriate as determined by CCEMA, provide information to local public radio and television stations regarding emergency warning and public service announcements.	ONGOING	CCEMA provides information, when deemed appropriate by the CCEMA coordinator. Responsible Party: CCEMA Funding Source: local
T, SS	2	6) Coordinate the countywide voluntary Storm Spotter program.	ONGOING	CCEMA coordinates the program. Responsible Party: CCEMA Funding Source: local
F	2	7) Participate in National Flood Insurance Program (NFIP).	ONGOING*	*Added as an ongoing mitigation action. Champaign County participates, providing NFIP options to residents and businesses in unincorporated county areas. Responsible Party: CC ELUC, CCPZ Funding Source: local
T, SS, SWS, EH	2	8) Conduct a needs assessment regarding community shelter options for vulnerable populations in unincorporated county.	NEW	Responsible Party: CC ELUC, CCPZ Funding Source: local Suggested Timeframe: within one year of FEMA approval of HMP Update
All	2	9) Identify a strategy to transport vulnerable populations in unincorporated county.	NEW	Responsible Party: CC EMA, Human Services Transportation Plan Representative Funding Source: local or grant Suggested Timeframe: within 2 years of FEMA approval of HMP Update

Jurisdiction: **Champaign County** (continued)

Hazards Addressed	Priority	Mitigation Action	Status	Notes
All	3	10) Improve the countywide integrated information base for use in assessing risk from natural and selected technical hazard events.	ONGOING*	*Added as an ongoing mitigation action. Responsible Party: CCGIS Consortium Funding Source: local
F	3	11) Review costs and benefits of County participation in FEMA Community Rating System voluntary incentive program.	NEW	Responsible Party: CC ELUC , CCPZ Funding Source: local Suggested Timeframe: within two years of FEMA approval of HMP Update
T, SS, SWS, E	3	12) Make a recommendation to the Champaign County Environment and Land Use Committee regarding County adoption of building regulations requiring wind-resistant and seismic resistance construction for new critical facilities.	NEW	Responsible Party: CC ELUC , CCPZ Funding Source: local Suggested Timeframe: within 2 years of FEMA approval of HMP Update
F	3	13) Identify and prioritize needed improvements to County maintained roads that flood in heavy rainstorms, blocking or impairing road use and through access by vehicular traffic.	PENDING	Responsible Party: CCHD Funding Source: local or grant Suggested Timeframe: within 2 to 5 years of FEMA approval of HMP update
F	3	14) Conduct a feasibility study regarding acquisition of acceptable elevation data to identify boundaries of the floodway and 100-year floodplain throughout unincorporated Champaign County.	NEW	Based on a previous similar Mitigation Action. Responsible Party: CC ELUC, CCPZ Funding Source: local Suggested Timeframe: within 2 to 5 years of FEMA approval of HMP update
All	3	15) Inventory mutual aid agreement terms for Plan Area communities and encourage participation of communities.	NEW	Responsible Party: CCEMA Funding Source: local Suggested Timeframe: within 2 years of FEMA approval of HMP update

Removed or Replaced Mitigation Actions for Champaign County

		Mitigation Action	Status	Notes
E	3	5 Distribute information regarding earthquake hazards and safety procedures to all Champaign County school districts on an annual basis.	REMOVED	CCEMA preference is to combine former Mitigation Action #5 to include it as part of Mitigation Action #1.
SS	3	9 Establish means of activating an advance warning siren and provide advance warning sirens in outlying unincorporated communities that do not yet have one.	REPLACED	CCEMA preference is to replace former Mitigation Action #9 with expanded Mitigation Action #2.
SS, E	3	10 Adopt building regulations that require wind-resistant and earthquake-resistant construction measures for critical facilities that house vulnerable populations or that house volatile liquids or hazardous wastes.	REPLACED	CCPZ preference is to replace former Mitigation Action #10 with new Mitigation Action #12.



FEMA

JUL 23 2015

Mr. Ron Davis
State Hazard Mitigation Officer
Illinois Emergency Management Agency
1035 Outer Park Drive
Springfield, IL 62704

Dear Mr. Davis:

Thank you for submitting the Champaign County Hazard Mitigation Plan Update for our review. The plan was reviewed based on the local plan criteria contained in 44 CFR Part 201, as authorized by the Disaster Mitigation Act of 2000. Champaign County met the required criteria for a multi-jurisdictional hazard mitigation plan. Formal approval of this plan is contingent upon the adoption of this plan by the participating jurisdictions. Once FEMA Region V receives documentation of adoption from the participating jurisdictions, we will send a letter of official approval to your office.

We look forward to receiving the adoption documentation and completing the approval process for Champaign County.

If you or the communities have any questions, please contact Tom Smith at (312) 408-5220 or at Thomas.Smith6@fema.dhs.gov.

Sincerely,

for Anna Pudlo
Christine Stack, Director
Mitigation Division

Attachment: Local Mitigation Plan Review

MONTHLY REPORT for JULY 2015¹

Champaign County
Department of



Zoning Cases

The distribution of cases filed, completed, and pending is detailed in Table 1. Three zoning cases were filed in July and two were filed in July 2014. The average number of cases filed in July in the preceding five years was 2.4.

One ZBA meeting was held in July and one case was completed. Two ZBA meetings were held in July 2014 and one case was completed. The average number of cases completed in July in the preceding five years was 1.0.

By the end of July there were 10 cases pending. By the end of July 2014 there were 12 cases pending.

Brookens Administrative
Center
1776 E. Washington Street
Urbana, Illinois 61802

(217) 384-3708
zoningdept@co.champaign.il.us
www.co.champaign.il.us/zoning

Table 1. Zoning Case Activity in July 2015 & July 2014

Type of Case	July 2015 1 ZBA meeting		July 2014 2 ZBA meetings	
	Cases Filed	Cases Completed	Cases Filed	Cases Completed
Variance	2	1	2	0
SFHA Variance	0	0	0	0
Special Use	1	0	0	1
Map Amendment	0	0	0	0
Text Amendment	0	0	0	0
Change of Non-conforming Use	0	0	0	0
Administrative Variance	0	0	0	0
Interpretation / Appeal	0	0	0	0
TOTALS	3	1	2	1
Total cases filed (fiscal year)	15 cases		10 cases†	
Total cases completed (fiscal year)	12 cases		8 cases†	
Case pending*	10 cases		12 cases	
* Cases pending includes all cases continued and new cases filed <u>but not decided</u>				
†Does not reflect the actual FY2014 which was 12/13 through 12/14				

¹ Note that approved absences, sick days, and two part-time interns resulted in an average staffing level of 100% or the equivalent of 5.0 staff members (of the 5 authorized) present on average for each of the 22 work days in July.

Subdivisions

No County subdivision application was received in July. No municipal subdivision plats were reviewed for compliance with County zoning in July.

Zoning Use Permits

A detailed breakdown of permitting activity appears in Table 2. A list of all Zoning Use Permits issued for the month is at Appendix A. Permitting activity in July can be summarized as follows:

- 21 permits for 19 structures were approved in July compared to 19 permits for 18 structures in July 2014. The five-year average for permits in July in the preceding five years was 14.2.
- 24 months out of the last 60 months have equaled or exceeded the five-year average for number of permits (including July 2015, June 2015, January 2015, December 2014, October 2014, August 2014, July 2014, June 2014, May 2014, March 2014, November 2013, August 2013, July 2013, June 2013, December 2012, October 2012, September 2012, May 2012, April 2012, February 2012, December 2011, September 2011, February 2011, and January 2011).
- 4.5 days was the average turnaround (review) time for complete initial residential permit applications in July.
- \$1,787,785 was the reported value for the permits in July compared to a total of \$1,173,469 in July 2014. The five-year average reported value for authorized construction in July is \$1,567,965.
- 27 months in the last 60 months have equaled or exceeded the five-year average for reported value of construction (including July 2015, June 2015, December 2014, October 2014, June 2014, May 2014, March 2014, February 2014, November 2013, September 2013, August 2013, July 2013, June 2013, February 2013, January 2013, November 2012, August 2012, September 2012, May 2012, June 2012, February 2012, January 2012, December 2011, November 2011, August 2011, June 2011, and April 2011).
- \$5,706 in fees were collected in July compared to a total of \$3,980 in July 2014. The five-year average for fees collected in July is \$ 2,988.
- 23 months in the last 60 months have equaled or exceeded the five-year average for collected permit fees (including July 2015, January 2015, December 2014, November 2014, October 2014, August 2014, July 2014, June 2014, May 2014, March 2014, February 2014, August 2013, July 2013, February 2013, January 2013, October 2012, September 2012, May 2012, April 2012, February 2012, January 2012, December 2011, and June 2011).
- There were also 3 lot split inquiries and 305 other zoning inquiries in July.
- Three rural addresses were issued in July.
- One set of ZBA meeting minutes were transcribed in July.

Planning & Zoning Monthly Report
JULY 2015

Table 2. Zoning Use Permits Approved in July 2015

PERMITS	CURRENT MONTH			FISCAL YEAR TO DATE		
	#	Total Fee	\$ Value	#	Total Fee	\$ Value
AGRICULTURAL: Residential	1	0	400,000	3	0	837,000
Other	2	0	162,000	6	0	635,000
SINGLE FAMILY Resid.: New - Site Built	4	1,776	785,000	9	4,349	1,688,600
Manufactured				1	345	122,260
Additions	1	193	52,000	19	2,484	665,518
Accessory to Resid.	10	2,799	188,785	30	8,407	694,864
TWO-FAMILY Residential						
Average turn-around time for permit approval			4.5 days			
MULTI - FAMILY Residential						
HOME OCCUPATION: Rural				1	33	0
Neighborhood	2	0	0	13	0	0
COMMERCIAL: New	1	938	200,000	5	4,328	1,730,000
Other				1	1,533	1,400,000
INDUSTRIAL: New						
Other						
OTHER USES: New				1	0	28,000
Other				2	642	811,000
SIGNS				2	174	12,485
TOWERS (Incl. Acc. Bldg.)				3	832	260,000
OTHER PERMITS				9	751	9,100
TOTAL APPROVED	21/19	\$5,706	\$1,787,785	105/82	\$23,878	\$8,893,827

* 21 permits were issued for 19 structures in July 2015; 29 permits require inspection and Compl. Certif.

◇ 105 permits have been issued for 82 structures since January 1, 2015 (FY2015)

NOTE: Home occupations and other permits (change of use, temporary use) total 23 since January 1, 2015, (this number is not included in the total # of structures).

There were 23 Zoning Use Permit Apps. *received* in July 2015 and 16 were *approved*.

3 Zoning Use Permit App. *approved* in July 2015 were *received* in prior months.

Planning & Zoning Monthly Report
JULY 2015

Zoning Use Permits (continued)

- 191 permit files were scanned in July.

Conversion of Best Prime Farmland

Table 3 summarizes conversion of Best Prime Farmland as a result of any County zoning approval so far in FY2015.

Table 3. Best Prime Farmland Conversion

	July 2014	FY 2015 to date
Zoning Cases. Approved by the ZBA, a Zoning Case July authorize a new principal use on Best Prime Farmland that was previously used for agriculture.	0.0 acres	0.00 acres
Subdivision Plat Approvals. Approved by the County Board, a subdivision approval July authorize creation of new Best Prime Farmland lots smaller than 35 acres: Outside of Municipal ETJ areas ¹	0.0 acre	0.0 acre
Within Municipal ETJ areas ²	0.0 acre	0.0 acre
Zoning Use Permits. Approved by the Zoning Administrator, a Permit July authorize a new non-agriculture use on a lot that was not previously authorized in either a zoning case or a subdivision plat approval.	0.0 acres	6.14 acres
Agricultural Courtesy Permits	0.0 acre	0.0 acre
TOTAL	0.0 acres	6.14 acres
NOTES 1. Plat approvals by the County Board. 2. Municipal plat approvals.		

Zoning Compliance Inspections

- 19 zoning compliance inspections were made in July for a total of 185 compliance inspections in FY2015.
- 2 zoning compliance certificates were issued in July. A total of 154 zoning compliance certificates have been issued so far in FY2015 for an average of 5.1 certificates per week. The FY2015 budget anticipated a total of 389 compliance inspections and certificates for an average of 7.5 certificates per week.

Zoning and Nuisance Enforcement

Table 4 contains the detailed breakdown of enforcement activity for July 2015 and can be summarized as follows:

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JULY 2015

- 3 new complaints were received in July compared to 13 complaints that were received in July 2014. Two complaints were referred to other agencies in July and 1 complaint was referred to another agency in July 2014.
- 62 enforcement inspections were conducted in July compared to 62 in July 2014. Six of the July 2015 inspections were for new complaints received in July 2015.
- No contact was made prior to written notification in July and one contact was made in July 2014.
- 62 initial investigation inquiries were made in July for an average of 14.1 per week in July and 10.5 per week for the fiscal year. The FY2015 budget anticipates an average of 9.9 initial investigation inquiries per week.
- No First Notices and 2 Final Notices were issued in July and 1 First Notice and no Final Notices were issued in July 2014. The FY2015 budget anticipated a total of 32 First Notices for an average of 2.7 First Notices per month.
- No cases were referred to the State's Attorney in July and no cases were referred in July 2014. The FY2015 budget anticipated a total of 6 cases forwarded to the State's Attorney's Office.
- 9 cases were resolved in July and 29 cases were resolved in July 2014. The FY2015 budget anticipated a total of 150 resolved cases for an average of 12.5 resolved cases per month.
- 317 cases remain open at the end of July compared to 321 open cases at the end of July 2014.
- In addition to the activities summarized in Table 4, other activities of Enforcement staff in July included the following:
 1. Answering phones and helping customers when needed due to unavailability or absence of Zoning Technicians.
 2. Coordinated with land owners, complainants, and the State's Attorney's Office regarding enforcement cases that have been referred to the State's Attorney's Office.
 3. Coached Department Interns regarding compliance inspections as required.
 4. Assisted the Zoning Administrator with an ongoing review of dangerous structures in Urbana Township.
 5. Assisted other staff with several floodplain development questions.

APPENDICES

A Zoning Use Permit Activity During July 2015

B Zoning Compliance Certificates Issued in July 2015

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JULY 2015

Table 4. Enforcement Activity During July 2015

	FY2014 TOTALS ¹	Jan. 2015	Feb. 2015	March 2015	April 2015	May 2015	June 2015	July 2015	Aug. 2015	Sep. 2015	Oct. 2015	Nov. 2015	Dec. 2015	TOTALS ¹ FY2015
Complaints Received	68	2	3	9	5	4	6	3						32
Initial Complaints Referred to Others	14	0	1	0	0	0	4	2						7
Inspections	485	49	19	37	29	44	71	62 ⁴						311 ⁵
Phone Contact Prior to Notice	10	0	0	2	1	1	0	0						4
First Notices Issued	22	4	2	0	2	0	3	0						11
Final Notices Issued	0	0	0	0	1	0	1	2						4
Referrals to State's Attorney	1	0	0	1	0	0	1	0						2
Cases Resolved ²	159	0	0	8	3	1	5	9 ⁶						26 ⁷
Open Cases ³	311	313	316	317	319	322	323	317						317 ⁸

Notes

- Total includes cases from previous years.
- Resolved cases are cases that have been inspected, notice given, and violation is gone, or inspection has occurred and no violation has been found to occur on the property.
- Open Cases are unresolved cases and includes any case referred to the State's Attorney or new complaints not yet investigated.
- 6 inspections of the 62 performed were for the 3 complaints received in July, 2015.
- 41 inspections of the 311 inspections performed in 2015 were for complaints received in 2015.
- One of the resolved cases for July, 2015, was for a complaint received in July, 2015.
- 9 of the cases resolved in FY 2015 were for complaints that were also received in FY 2015.
- Total open cases include 22 cases that have been referred to the State's Attorney, some of which were referred as early as 2001.

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JULY 2015

APPENDIX A. ZONING USE PERMIT ACTIVITY DURING JULY 2015

Permit Number	Zoning District; Property Description; Address; PIN	Owner Name	Date Applied, Date Approved	Project (Related Zoning Case)
329-14-01 CR	Lot 102, Sjuts Rural Subdivision, Section 2, St. Joseph Township; 1757 CR 2275E, St. Joseph, Illinois PIN: 28-22-02-200-011	Casey and Kathy Hug	05/26/15 07/14/15	Construct a detached storage shed (added to ZUP for home since ZCC had not been issued)
176-15-01 CR	Three tracts of land located in the SW Corner of the NW ¼ of Section 26, Sadorus Township; 150 CR 400E, Sadorus, Illinois PIN: 22-31-26-100-008, 009, 010	Robert Shoemaker/ Vickie Jarrell	06/25/15 07/06/15	Construct a detached storage shed
180-15-01 B-4	Lot 101 of Prairieview Commercial Subdivision, Section 13, Mahomet Township; 2107 E. Tin Cup Road, Mahomet, Illinois PIN: Pt. of 15-13-13-176-009 & 010	Mark Kesler and Adam Kesler	06/29/15 07/08/15	Construct a building for <i>No Limit Fitness</i>
182-15-01 AG-1	A 5.50 acre tract of land being a part of the NW ¼ of the SW ¼ of Section 25, Stanton Township; 2321 CR 1950N, St. Joseph, Illinois PIN: 27-16-25-300-012	David and Dinah Licht	07/01/15 07/08/15	Construct a detached shed for horses and hay storage; and, construct an addition to an existing detached shed
182-15-02 CR	A 6.263 acre tract being a part of the NE ¼ of Section 22, Newcomb Township; 379 CR 2700N, Mahomet, Illinois PIN: 16-07-22-200-021	Armstrong Construction	07/01/15 07/08/15	Construct a single family home with attached garage
183-15-01 FP AG-1	Lot 13 of Prairiewest Subdivision, Section 32, Champaign Township; 4309 Prairiewest Drive, Champaign, Illinois PIN: 03-20-23-326-026	Everett Tims	07/02/15 07/31/15	Construct a detached garage, place an above ground swimming pool on the property, and authorize previously constructed attached garage addition and a covered patio addition to an existing single family home

*received and reviewed, however, not approved during reporting month

Planning & Zoning Monthly Report
JULY 2015

APPENDIX A. ZONING USE PERMITS ACTIVITY DURING JULY 2015

Permit Number	Zoning District; Property Description; Address; PIN	Owner Name	Date Applied, Date Approved	Project (Related Zoning Case)
187-15-01 R-1	Lot 2 of the Birt Subdivision, Section 10, St. Joseph Township; 1667 CR 2200E, St. Joseph, Illinois PIN: 28-22-10-276-018	Kiel and Katie Duval	07/06/15 07/14/15	Construct a single family home with attached garage
188-15-01 R-1	Part of Lot 21 of Assessor's Sub. of the N ½ of Section 3, Urbana Township; 2405 Brownfield Road, Urbana, IL PIN: 30-21-03-176-006	Donald and Sandy Rector	07/07/15 07/14/15	Construct an addition to an existing single family home
191-15-01 R-2	Lot 6, Block 1 of the Original Town of Foosland, Section 17, Brown Township; 307 Main Street, Foosland, Illinois PIN: 02-01-17-405-006	Gary Fairchild	07/10/15 07/14/15	Construct a detached carport
194-15-01 AG-1	A tract of land located in the SW ¼ of Section 27, Philo Township; 712 CR 1500E, Tolono, Illinois PIN: 19-27-27-300-009	Christopher and Melissa Plotner	07/13/15 07/22/15	Construct a detached agriculture storage shed and an above ground swimming pool
195-15-01 R-1	Lots 3 and 4, Block 5 in the Town of Grange, Section 25, Sadorus Township; 116 CR 525E, Sadorus, Illinois PIN: 22-31-25-156-002	Kenneth Hall	07/14/15 07/22/15	Construct a single family home
*196-15-01 RHO	Variance required			
196-15-02 R-1	Lot 1 of Windsor Park Subdivision, Section 25, Champaign Township; 1 Willowbrook Court, Champaign, Illinois PIN: 03-20-25-126-037	Denny Anderson	07/15/15 07/23/15	Construct a detached storage shed CASE: 715-V-12
196-15-03 R-1	A tract of land located in part of the NW Corner of the NW ¼ of the SE ¼ of Urbana Township; 2411 Mary Lou Drive, Urbana, Illinois PIN: 30-21-03-328-004	Dai Nguyen	07/15/15 07/23/15	Place a manufactured home on the subject property to be used as a storage shed (kitchen and bathroom(s) removed)

*received and reviewed, however, not approved during reporting month

Planning & Zoning Monthly Report
JULY 2015

APPENDIX A. ZONING USE PERMITS ACTIVITY DURING JULY 2015

Permit Number	Zoning District; Property Description; Address; PIN	Owner Name	Date Applied, Date Approved	Project (Related Zoning Case)
197-15-01 R-1	Lot 4 of Crooked Creek Subdivision, Phase III, Section 1, Mahomet Township; 546 CR 2400N, Dewey, Illinois PIN: 15-13-01-252-012	Stacy and Angela Corray	07/16/15 07/28/15	Construct a detached storage shed
*197-15-02	Under review			
198-15-01 AG-1	A tract of land located in the NW ¼ of the SW ¼ of Section 36, Mahomet Township; 1838 CR 500E, Champaign, Illinois PIN: 15-13-36-300-007	Jill and David Cain	07/17/15 07/28/15	Construct a single family home with attached garage
198-15-02 R-1	A .46 acre tract of land located to the South of Lot 1 of Headlee's 2 nd Subdivision, and to the E of Cook's Replat of Tract B, all in the E ½ of the NW ¼ of Section 14, Mahomet Township; 1505 Summit Ridge Road, Mahomet, Illinois PIN: 15-13-14-178-005	Stephanie Amabeli	07/17/15 07/28/15	Construct a detached storage shed and 2 additions to an existing single family home CASE: 783-V-14
*198-15-03	Approved in August			
201-15-01 AG-2	The South 102' of Lot 12 in Homer Abram's Subdivision, Section 8, Champaign Township; 302 S. Rising Road, Champaign, Illinois PIN: 03-20-08-351-003	Tom Taylor	07/20/15 07/28/15	Construct a detached garage
*202-15-01	Approved in August			
203-15-01 R-1/CR	Part of the N ½ of Section 3, Urbana Township; 2410 Brownfield Road, Urbana, IL PIN: 30-21-03-178-001/251-005	Frances Kramer and Melissa Orlie	07/22/15 07/28/15	Construct 1 shed for personal storage and 1 shed for agricultural animals
208-15-01 R-1	Lot 3 of Crooked Creek Subdivision, 3 rd Plat, Section 1, Mahomet Township; 548 CR 2400N, Dewey, Illinois PIN: 15-13-01-252-011	Chad Carlson	07/27/15 07/30/15	Construct a single family home with attached garage

*received and reviewed, however, not approved during reporting month

Planning & Zoning Monthly Report
JULY 2015

APPENDIX A. ZONING USE PERMITS ACTIVITY DURING JULY 2015

Permit Number	Zoning District; Property Description; Address; PIN	Owner Name	Date Applied, Date Approved	Project (Related Zoning Case)
*210-15-01	Under review			
*211-15-01	Under review			
*211-15-02	Under review			

*received and reviewed, however, not approved during reporting month

Planning & Zoning Monthly Report
 JULY 2015

APPENDIX B. ZONING COMPLIANCE CERTIFICATES ISSUED IN JULY 2015

Date	Permit Number	Property Description; Address; PIN	Project (Related Zoning Case)
07/23/15	74-12-03	Lot 1, Windsor Park Subdivision, Section 25, Champaign Township; 1 Willowbrook Court, Champaign, IL PIN: 03-20-25-126-037	A covered deck, a greenhouse (sunroom) and an airlock addition to an existing single family home
07/28/15	203-15-01	A 19 acre tract in Part of the N ½ of Section 3, Urbana Township; 2410 Brownfield Road, Urbana, Illinois PIN: 30-21-03-178-001/251-005	One shed for personal storage and one shed for agricultural animals