



**CHAMPAIGN COUNTY BOARD**  
**ENVIRONMENT and LAND USE COMMITTEE AGENDA**

County of Champaign, Urbana, Illinois

Thursday, February 10, 2022 - 6:30 p.m.

Shields-Carter Meeting Room / Zoom

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

**Committee Members:**

Eric Thorsland – Chair

Aaron Esry – Vice-Chair

Stephanie Fortado

Mary King

Kyle Patterson

Jacob Paul

Chris Stohr

*Pursuant to the Governor's Executive Order establishing a pandemic disaster in the State of Illinois that covers the County of Champaign, and the County Executive's determination that holding this meeting in person is not prudent at this time due to health concerns with rising numbers of COVID-19 cases and hospitalizations being reported in the county, this meeting will be held remotely via zoom. Public comment also will be taken remotely. The public may watch the meeting live or via recording on the County's [YouTube Channel](#).*

<b>Agenda</b>	<b>Page #'s</b>
I. Call to Order	
II. Roll Call	
III. Approval of Agenda/Addendum	
IV. Approval of Minutes	
A. January 6, 2022 – Regular Meeting	1 - 4
V. Public Participation	
*Being accepted remotely through Zoom – for instructions go to: <a href="http://www.co.champaign.il.us/CountyBoard/ELUC/2022/220210_Meeting/220210_Zoom_Meeting_Procedure.pdf">http://www.co.champaign.il.us/CountyBoard/ELUC/2022/220210_Meeting/220210_Zoom_Meeting_Procedure.pdf</a>	
VI. Communications	
VII. <u>New Business: Items for Information Only</u>	
A. Champaign County Farm Bureau Proposal for \$325,000 ARPA Funding to Accelerate Use of Cover Crops in Champaign County Agriculture	5 - 7
VIII. <u>New Business: Items to Receive &amp; Plan on File by ELUC to Allow a 30-Day Review Period</u>	
A. Pollution Control Facility Ordinance Update	8 - 35
IX. <u>New Business: Items to be Approved by ELUC</u>	
A. Annual Renewal of Recreation and Entertainment License for Champaign County Fair Association, 1302 N. Coler Avenue, Urbana, IL. 01/01/22 – 12/31/22.	36 - 48
B. Authorization for Public Hearing on Proposed Zoning Ordinance Text Amendment to Authorize a Tower over 100 feet in height as a Second Principal Use with an Electrical Substation in AG-1 and AG-2 Districts	49 - 50

*All meetings are at Brookens Administrative Center – 1776 E Washington Street in Urbana – unless otherwise noted. To enter Brookens after 4:30 p.m., enter at the north (rear) entrance located off Lierman Avenue. 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 meeting.*

**CHAMPAIGN COUNTY BOARD**  
**ENVIRONMENT and LAND USE COMMITTEE (ELUC)**  
**February 10, 2022 Agenda**

- X. New Business: Items to be Recommended to the County Board
  - A. Resolution Authorizing Agreement to Use State Farm Center Parking Lot for IEPA One-Day Household Hazardous Waste Collection on April 9, 2022. 51 - 54
  - B. Resolution Approving Agreement between Champaign County, Parkland College and A-Team Recyclers regarding the Residential Electronics Collections on May 21, 2022 and October 15, 2022 55 - 66
  - C. Resolution Approving Champaign County Opt-In Form to Illinois EPA to Participate in Manufacturer E-Waste Program in 2023 67 - 69
  - D. **Zoning Case 014-AT-21.** Amend the Champaign County Zoning Ordinance to establish beekeeping requirements as summarized in the full legal advertisement and summarized as follows: 70 - 82
    - 1. Amend Section 3.0 Definitions by adding a definition for “apiary”, “beekeeping”, “honey bee”, “nucleus colony” and other related terms
    - 2. Add footnote 29 to section 5.2 Table of Authorized Principal Uses
    - 3. Add footnote 30 to Section 5.2 Table of Authorized Principal Uses
    - 4. Add new Section 7.8 Beekeeping in the R-1, R-2 and R-3 Districts, with new requirements for beekeeping
- XI. Other Business
  - A. Monthly Reports
    - 1. December 2021 (*to be distributed*)
- XII. Chair’s Report
- XIII. Designation of Items to be Placed on the Consent Agenda
- XIV. Adjournment



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

**MINUTES – Subject to Review and Approval**

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DATE: Thursday, January 6, 2022  
TIME: 6:30 p.m.  
PLACE: Shields-Carter Meeting Room / Zoom  
Brookens Administrative Center  
1776 E Washington, Urbana, IL 61802  
and remote participation via Zoom

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**Committee Members**

<b>Present</b>	<b>Absent</b>
Aaron Esry (Vice-Chair)	
Stephanie Fortado	
Mary King	
Kyle Patterson	
Jacob Paul	
Chris Stohr	
Eric Thorsland (Chair)	

**County Staff:** John Hall (Zoning Administrator) and Mary Ward (Recording Secretary)

**Others Present:** Jen Straub (County Board Member)

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**MINUTES**

**I. Call to Order**

Committee Chair Thorsland called the meeting to order at 6:33 p.m.

**II. Roll Call**

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

**III. Approval of Agenda/Addendum**

**MOTION** by Ms. King to approve the agenda, seconded by Ms. Fortado. Upon roll call vote, the **MOTION CARRIED** unanimously to approve the agenda.

**IV. Approval of Minutes**

A. December 9, 2021

**MOTION** by Mr. Esry to approve the minutes of the December 9, 2021, regular meeting seconded by Mr. Stohr. Upon roll call vote, the **MOTION CARRIED** unanimously.

40 **V. Public Participation**

41  
42 Cindy Ihrke, Ford County Board member, spoke regarding updating the Wind Farm Ordinance. Ford County  
43 has recently updated their Wind Farm Ordinance due to several complaints they've received from those  
44 living near a wind farm. Their original ordinance had no way to help people. Setbacks are now from the  
45 property line, and they must get waivers from all parties affected. The new setbacks are 2,250 feet. She said  
46 there is new technology available to help with shadow flicker. She offered to talk to ZBA or the committee to  
47 share more about their new ordinance.

48  
49 Ted Hartke shared his experience of living near a wind farm. He was in favor of it at first but after the  
50 turbines were turned on, they had noise issues. They eventually had to abandon their home. He encouraged  
51 using the guidelines for the new ADLS radar activated lights. He stressed that an updated ordinance should  
52 protect the residents first. He asked that the setbacks be changed to 3,250 feet.

53  
54 Lori Cooper also spoke on the wind farm issue and wanted to agree with what Mr. Hartke had said.

55  
56 Barney Bryson spoke on the proposed Bee Ordinance. He had sent in some more information that was  
57 shared with the committee. He asked that the committee please consider sending the ordinance on to the  
58 County Board.

59  
60 **VI. Communications**

61 Several members had commented on Ms. Fortado's background picture. She said it is Brandywine Falls in  
62 Ohio and about a mile from where she grew up.

63  
64 **VII. New Business: Items to be Approved by ELUC**

65 A. Direction Regarding Proposed Zoning Ordinance Text Amendment to Revise Certain Zoning Ordinance  
66 Requirements for Wind Farms

67  
68 Mr. Thorsland started the discussion on revising the Wind Farm ordinance. There were favorable  
69 comments on the ADLS lighting system in the public comments tonight. He favors this technology. The  
70 ordinance revisions as proposed change the setbacks.

71  
72 Mr. Hall was asked to summarize the proposed changes from the original ordinance. First, separation to  
73 dwellings (not property lines), we are basing those on the same proportions as we currently have. For a  
74 non-participating dwelling we require a minimum 1200-foot separation. It's always been greater than  
75 that. The proposed minimum separation is no less than 2.4 times the maximum allowed wind farm  
76 tower height. That's provided the noise level complies with the Pollution Control Board regulations. To a  
77 participating dwelling, the separation is no less than 2 times the maximum allowed wind farm tower  
78 height.

79  
80 Several changes are included to the Agricultural Impact Mitigation Agreements to bring our ordinance in  
81 compliance with state law. Our fees were below average, so there is a proposed increase in fees;  
82 \$34,000 or \$760 per tower for the special use permit and when time to build the tower price for a permit  
83 is proposed to be \$10,000. These are substantial increases but even with these increases we will still be  
84 in the mid-range of what counties charge for fees.

85  
86 We've only had one small wind farm (30 towers) built under the current ordinance and the only  
87 complaints we've ever received were about drainage. Those have been dealt with. We've never

88 received complaints about noise or flicker. There are some complaints about lighting. Adding the ADLS  
89 would be seen as a big plus. The current wind farm would become non-conforming.

90  
91 Mr. Stohr asked about the IL Pollution Control Board noise levels. Is that something that is routinely  
92 measured or only measured when there is a request? And, who does that? Can we require the owners to  
93 do measurements of noise at various times? If there is a valid complaint ELUC can authorize a noise  
94 study and if a violation is found the cost of the study has to be reimbursed and the problem corrected.  
95 Mr. Thorsland added that he was on the ZBA at the time and there was a lot of discussion about noise.

96  
97 Discussion continued with members agreeing that the proposed changes make sense allowing for the  
98 taller towers, ADLS lighting, etc. A question was raised about where the numbers for the proposed fees  
99 came from. A search was made of other counties and their fees, and these are in the mid-range of those  
100 fees. It is a substantial increase but there are long-term, ongoing costs/work associated with wind farms.

101  
102 The committee agreed that the ZBA has the opportunity to have more discussion on the issues and need  
103 a place start. Most members were happy to send this as proposed to the ZBA. The earliest date it could  
104 be on the ZBA calendar would be March 31, 2022.

105  
106 Mr. Hall stated that the proposed ordinance does do away with any height limit but has to conform to  
107 FAA requirements and have ADLS lighting.

108  
109 **MOTION** by Ms. Fortado and second by Mr. Esry to send the proposed ordinance changes to the ZBA as  
110 presented. Upon roll call vote, the **MOTION CARRIED**.

111  
112 **VIII. New Business: Items to Receive and Place on File by ELUC to Allow a 30-Day Review Period**

113 **A. Zoning Case 014-AT-21.** Amend the Champaign County Zoning Ordinance to establish beekeeping  
114 Requirements as summarized in the full legal advertisement and summarized as follows:

- 115 1. Amend Section 3.0 Definitions by adding a definition for “apiary”, “beekeeping”, “honey bee”,  
116 “nucleus colony” and other related terms.  
117  
118 2. Add footnote 29 to Section 5.2 Table of Authorized Principal Uses.  
119  
120 3. Add footnote 30 to Section 5.2 Table of Authorized Principal Uses.  
121  
122 4. Add new Section 7.8 Beekeeping in the R-1, R-2 and R-3 Districts, with new Requirements for  
123 Beekeeping  
124

125 Mr. Thorsland stated that the ZBA recommendation is a flat denial of this ordinance. Mr. Thorsland  
126 stated he was in agreement with the ZBA. We have worked very hard to try to do this twice now. He  
127 appreciates all the hard work that has gone into this.  
128

129 Mr. Esry asked if there was any time when the ZBA recommended a denial, but the County Board voted  
130 differently. Mr. Hall answered that he can’t remember a time when the ZBA recommended a denial of a  
131 text amendment; so, this is a first. He did check with the State’s Attorney regarding the standard  
132 practice of the county board either going with the recommendation or remanding. If you don’t follow  
133 the ZBA recommendation you would need to document, why.  
134

135 Mr. Esry liked that we spent time on this and try to address the issue. If we do nothing, we don’t solve  
136 the issue and with the ordinance we don’t solve it either. He would probably lean toward agreeing with

137 the ZBA but it's still frustrating that we couldn't find a solution. Ms. Fortado said she is not against the  
138 ZBA but felt like the ordinance was reasonable. You can regulate something and still like it. Mr. Paul said  
139 he agrees with the ZBA and we should support their ruling.  
140

141 Mr. Hall stated that the ordinance is in keeping with best management practices. But the ordinance was  
142 too restrictive for anyone to support. It was a difficult decision for the ZBA.  
143

144 Mr. Esry asked if would remand back to ZBA to just limiting the number of hives; would that pass? Mr.  
145 Hall stated that three members would never support regulation of bees. The question was asked if the  
146 committee agrees to override the ZBA if it would have any chance with the full County Board? The  
147 committee felt that it could be an uphill battle and that some would not go for more rules.  
148

149 **MOTION** by Mr. Stohr and seconded by Mr. Patterson to receive and place on file the recommended  
150 denial by the ZBA. Upon roll call vote, the **MOTION CARRIED**.  
151

152 **IX. Other Business**

153 A. Monthly Reports

154 i. November 2021  
155

156 The report was received and placed on file.  
157

158 **X. Chair's Report**

159 There was no Chair's Report.  
160

161 **XI. Designation of Items to be Placed on the Consent Agenda**

162 There were no items for the Consent Agenda.  
163

164 **XII. Adjournment**

165 Mr. Thorsland adjourned the meeting at 7:58 p.m.  
166

167 *Please note the minutes reflect the order of the agenda and may not necessarily reflect the order of business*  
168 *conducted at the meeting.*



# Champaign County Farm Bureau

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801 N. Country Fair Drive, Suite A • Champaign IL 61821-2492  
Phone: (217) 352-5235 • Fax: (217) 352-8768 • [www.ccfarmbureau.com](http://www.ccfarmbureau.com)  
Bradley Uken, *Manager*

The Champaign County Farm Bureau (CCFB) and Illinois Farm Bureau have a long history of supporting and funding conservation initiatives that mitigate the environmental impact of farming while improving the water and soil quality of our communities. At a statewide level, over \$2 million has been invested by Illinois Farm Bureau in efforts related to the Illinois Nutrient Loss Reduction Strategy. On the local level the CCFB has continuously worked to provide educational material, meetings, and field days to help farmers better understand their options for conservation practices on their farms. Champaign County farmers recognize the need for long-term investment in conservation. Everyone wants to leave a better world for the next generation.

One of the conservation practices that farmers have begun to implement on a larger scale is the use of cover crops. Cover crops are crops that are planted to provide winter soil cover and are not intended to be used as a cash crop. Crops used as cover crops run the gamut of species ranging from cereal rye to radishes. The 2017 USDA Census of Agriculture found a 50% increase in cover crop acreage between 2012 and 2017.

Cover crops have been proven to be highly successful in reducing nutrient runoff, preventing soil erosion, improving soil health, and helping control weeds, pests, and diseases. Cover crops often grow very deep roots, deeper than corn and soybean plants. These extensive root systems help mitigate compaction issues in fields by loosening the soil and creating a better seed bed for spring planting season. With the challenges of herbicide resistant weeds, cover crops are also a potential avenue to control those weeds and reduce herbicide usage. The USDA's Sustainable Agriculture Research and Education program's 2019-2020 Cover Crop survey found that 91.2% of farmers reported an improvement in weed control after a solid stand of cereal rye cover crop. This report also found that 68% of farmers who planted a cash crop like corn or soybeans into a still-living cover crop reported better soil moisture management.

Despite the positive impact cover crops have, the challenges to widespread adoption of these practices are vast. Farmers lack the financial flexibility to invest in the added seed cost, the additional passes over the field, and to withstand the possible decrease in yield during the first years of cover crop usage. It takes multiple years for soil quality and moisture management benefits to be measurable enough to offset the initial investment cost.

Recent incentive programs have had great success in increasing the acreage on which cover crops are utilized. One example of incentive efforts is through the Illinois Department of Agriculture's (IDOA) Fall Covers for Spring Savings program. Over the last three years the IDOA has offered a \$5 per acre incentive for farmers to plant cover crops. In 2020, the 50,000-acre statewide allotment was met in 12 hours and a total of 185,000 acres were requested. The IDOA has doubled their allotted acreage for 2022 to 100,000 acres, still below the total requested last year. Additionally, the Champaign County Soil

and Water Conservation District has funds available for cover crops but these funds to are limited and often come with onerous requirements that make it difficult for farmers to stay within the regulations of the funding. Utilizing incentives to increase the usage of cover crops has been proven to work, however current funding opportunities are both limited in scope and the programs can be difficult to enroll in.

The American Rescue Plan Act (ARPA) under its Investment in Infrastructure and Water section specifically allows for funds to be utilized to address non-point source pollution. Non-point source pollution as defined by the US EPA as resulting from land runoff, precipitation, and/or drainage. Furthermore, the EPA explains that non-point source pollution is caused by rainfall or snowmelt moving over and through the ground. As the runoff moves, it picks up and carries away natural and human made pollutants, depositing them in various bodies of water. The EPA identifies two specific sources of non-point source pollution that can be attributed to agriculture: excess fertilizers, herbicides, and insecticides from agricultural lands and sediment from crop lands. It is clearly stated in the interim rules that ARPA funds can be used for non-point source pollution. Cover crops are part of larger solution to address non-point source pollution through prevention of soil runoff, reducing herbicide and fertilizer usage, and by filtering both surface and sub-surface water.

The Champaign County Farm Bureau is requesting \$325,000 from the ARPA funds to accelerate the usage of cover crops in Champaign County. The funding will allow Champaign County farmers to be at the forefront of the farm conservation effort and will allow Champaign County to become an example of how local investment in farm conservation efforts can drive change. The CCFB is unique in its ability to provide educational training and field days to farmers demonstrate the benefits of cover crops. The CCFB also has the administrative capacity to manage such a program and to distribute the funds in a transparent and timely manner.

#### Budget Outline

- **\$325,000** is budgeted to be spent in total in 2022, 2023, 2024 and 2025
- **\$40,000** over four years to be spent on farmer/landowner training, education and field days hosted, planned, and carried out by the Champaign County Farm Bureau.
- **\$285,000** over four years to accelerate the usage of cover crops through a per acre incentive paid to the farmer or landowner.
  - **\$71,250** to be spent on an annual basis incentivizing usage of cover crops
  - **\$7.50 per acre** in incentive. On 40 acres that would be an incentive of \$300. A minimum of 5 acres planted in cover crops would be needed to participate in the program.
  - **9,500 acres** of cover crops would be incentivized each of the four years of the program.

We feel a key to the success of a cover crop program is making it a multi-year program. Incentivizing farmers and landowners to try cover crops over multiple years will allow farmers to get to the point where the returns of investment in cover crops will start to eclipse the cost of implementation. It will also allow farmers the time to evaluate all of their options with regards to cover crop implementation and let them make the best management decisions for their farms.

The vision of the Champaign County Farm Bureau is that farmers across the county will embrace cover crops to further improve the health of the soil, water, and the environment. We strongly believe that with the help of ARPA funds we can accelerate these advances for the betterment of farmers, landowners, and our urban neighbors.

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

(217) 384-3708  
[zoningdept@co.champaign.il.us](mailto:zoningdept@co.champaign.il.us)  
[www.co.champaign.il.us/zoning](http://www.co.champaign.il.us/zoning)

To: Environment and Land Use Committee  
From: John Hall, Director & Zoning Administrator  
Susan Monte, Planner & County Recycling Coordinator  
Date: January 31, 2022  
RE: Pollution Control Facility Siting Ordinance Update  
Request: Receive and Place on File to Allow a 30-Day Review Period

### Overview

The proposed update to the County Pollution Control Facility Siting Procedures includes the proposal to repeal County Board Resolution No. 5167 (out of date), and to adopt instead, an updated proposed “Ordinance Establishing Champaign County Pollution Control Facility Siting Procedures.”

### Background

Existing County Board Resolution No. 5167 “Resolution Establishing Regional Pollution Control Facility Siting Procedures” was last updated on November 17, 2005.

The proposed update to these provisions features:

- 1) Inclusion of past and future amendments to Section 39.2 of the Illinois Environmental Protection Act (415 ILCS 5/39.2 et seq.).
- 2) A proposed ordinance format in keeping with the regulatory nature of the provisions.
- 3) References to the County Executive, existing County Board structure, and updated definitions.
- 4) Streamlined provisions that include the option that an application for a New Pollution Control Facility may be considered at a Public Hearing held by the Environment and Land Use Committee or delegated to be held by a hearing officer.

The proposed Ordinance provided for review over the next 30 days has been reviewed by Assistant State’s Attorney Matthew Sullard.

### Attachment

Proposed Update: Ordinance Establishing Champaign County Pollution Control Facility Siting Procedures dated 1/31/2022

ORDINANCE NO. \_\_\_\_\_

ORDINANCE ESTABLISHING CHAMPAIGN COUNTY  
POLLUTION CONTROL FACILITY  
SITING PROCEDURES

WHEREAS, the Illinois Environmental Protection Act (415 ILCS 5/39.2 et seq.) gives the power for approving or disapproving requests for siting a pollution control facility or a new pollution control facility in unincorporated areas to county boards, and establishes the criteria which can be utilized in reviewing siting requests and the process by which siting requests are handled; and,

WHEREAS, the Act provides that the county board, in granting siting approval for a pollution control facility or a new pollution control facility, may impose such conditions as may be reasonable and necessary to satisfy the criteria contained in the Act so long as conditions imposed by the County Board are not inconsistent with regulations promulgated by the Illinois Pollution Control Board; and,

WHEREAS, in order to protect the public interest of the citizens of Champaign County and to promote the orderly conduct of the hearing process and to ensure that full and complete information is made available to the Champaign County Board, it is necessary that procedures be established for conducting the public hearings and for making decisions regarding siting approval requests for a pollution control facility or a new pollution control facility proposed to be located in unincorporated areas of Champaign County.

NOW, THEREFORE BE IT ORDAINED by the Champaign County Board, ChampaignCounty, as follows:

1. That Resolution No.5167, Resolution Establishing Regional Pollution Control Facility Siting Procedures, is repealed.
2. That the following Champaign County Pollution Control Facility Siting Procedures be adopted.

**CHAMPAIGN COUNTY POLLUTION CONTROL FACILITY  
SITING PROCEDURES**

**SECTION ONE: COUNTY BOARD APPROVAL REQUIRED**

A. No pollution control facility or new pollution control facility located in whole or in part in any unincorporated area of Champaign County shall be constructed or operated without the approval of the County Board (hereinafter, "Board") of Champaign County (hereinafter, "County").

B. The County Board shall approve, deny or approve subject to conditions, a pollution control facility or a new pollution control facility only upon making findings of fact with respect to all of the criteria established by Section 39.2(a) of the Illinois Environmental Protection Act (415 ILCS 5/39.2) which are incorporated herein and attached as an appendix and only in conformance to the procedures and requirements set forth herein.

**SECTION TWO: DEFINITIONS**

A. The terms used in these procedural rules and regulations shall have the same meanings as the same terms defined in the Illinois Environmental Protection Act (415 ILCS 5/1 et seq.), in effect as of the date hereof and as said Act may be amended or modified from time to time, including the following defined terms:

"Pollution control facility" or "new pollution control facility"

Any facility defined as such in the Illinois Environmental Protection Act (415 ILCS 5/3 et seq.). Appendix B of this ordinance contains the definitions of "pollution control facility" and "new pollution control facility" from the Illinois Environmental Protection Act (415 ILCS 5/3 et seq.).

"Disposal"

The discharge, deposit, injection, dumping, spilling, leaking or placing of any waste or hazardous waste into or on any land or water or into any well so that such waste or hazardous waste or any constituent thereof may enter the environment or be emitted into the air or discharged into any waters, including ground waters. (415 ILCS 5/3.185)

"Hazardous waste"

A waste, or combination of wastes, which because of its quantity, concentration, or physical, chemical, or infectious characteristics may cause or significantly contribute to an increase in mortality or an increase in serious, irreversible, or incapacitating reversible, illness; or pose a substantial present or potential hazard to human health or the environment when improperly treated, stored, transported, or disposed of, or otherwise managed, and which has been identified, by characteristics or listing, as hazardous

pursuant to Section 3001 of the Resource Conservation and Recovery Act of 1976, P.L. 94-580, or pursuant to Board regulations. (415 ILCS 5/3.220 et seq.)

“Pollution control facility” or “New pollution control facility”

Any facility defined as such in the Illinois Environmental Protection Act (415 ILCS 5/3 et seq.).

Appendix B of this ordinance contains the definitions of “pollution control facility” and “new pollution control facility” from the Illinois Environmental Protection Act (415 ILCS 5/3 et seq.).

“Sanitary landfill”

A facility permitted by the Agency for the disposal of waste on land meeting the requirements of the Resource Conservation and Recovery Act, P.L. 94-580, and regulations thereunder, and without creating nuisances or hazards to public health or safety, by confining the refuse to the smallest practical volume and covering it with a layer of earth at the conclusion of each day’s operation, or by such other methods and intervals as the Board may provide by regulation. (415 ILCS 5/3.445 et seq.)

“Storage”

The containment of waste, either on a temporary basis or for a period of years, in such a manner as not to constitute disposal. (415 ILCS 5/3.480 et seq.)

“Storage site”

A site at which waste is stored. "Storage site" includes transfer stations but does not include (i) a site that accepts or receives waste in transfer containers unless the waste is removed from the transfer container or unless the transfer container becomes stationary, en route to a disposal, treatment, or storage facility for more than 5 business days, or (ii) a site that accepts or receives open top units containing only clean construction and demolition debris, or (iii) a site that stores waste on a refuse motor vehicle or in the vehicle's detachable refuse receptacle for no more than 24 hours, excluding Saturdays, Sundays, and holidays, but only if the detachable refuse receptacle is completely covered or enclosed and is stored on the same site as the refuse motor vehicle that transported the receptacle to the site. (415 ILCS 5/3.485 et seq.)

“Transfer station”

A site or facility that accepts waste for temporary storage or consolidation and further transfer to a waste disposal, treatment, or storage facility. "Transfer station" includes a site where waste is transferred from (1) a rail carrier to a motor vehicle or water carrier; (2) a water carrier to a rail carrier or motor vehicle; (3) a motor vehicle to a rail carrier, water carrier or motor vehicle; (4) a rail carrier to a rail carrier, if the waste is removed from a rail car; or (5) a water carrier to a water carrier, if the waste is removed from a vessel. (415 ILCS 5/3.500 et seq.)

“Treatment”

Any method, technique, or process, including neutralization, designed to change the physical, chemical, or biological character or composition of any waste so as to neutralize it or render it nonhazardous, safer for transport, amenable for recovery, amenable for storage, or reduced in volume. Such term includes any activity or processing designed to change the physical form or chemical composition of hazardous waste so as to render it nonhazardous. (415 ILCS 5/3.505 et seq.)

“Waste”

Any garbage, sludge from a waste treatment plant, water supply treatment plant, or air pollution control facility or other discarded material, including solid, liquid, semi-solid, or contained gaseous material resulting from industrial, commercial, mining and agricultural operations, and from community activities, but does not include solid or dissolved material in domestic sewage, or solid or dissolved materials in irrigation return flows, or coal combustion by-products as defined in Section 3.135, or industrial discharges which are point sources subject to permits under Section 402 of the Federal Water Pollution Control Act, as now or hereafter amended, or source, special nuclear, or by-product materials as defined by the Atomic Energy Act of 1954, as amended (68 Stat. 921) or any solid or dissolved material from any facility subject to the Federal Surface Mining Control and Reclamation Act of 1977 (P.L. 95-87) or the rules and regulations thereunder or any law or rule or regulation adopted by the State of Illinois pursuant thereto. (415 ILCS 5/3.535 et seq.)

B. For purposes of this ordinance, the following definitions shall apply:

“Applicant”

Any person, firm or partnership, association, corporation, company or organization of any kind who files an application pursuant to this ordinance.

“Application”

An application for a pollution control facility submitted to Champaign County.

“Committee”

The Champaign County Board Environment and Land Use Committee.

“Committee Chair”

The duly appointed Chair of the Environment and Land Use Committee of the Champaign County Board.

“County”

The County of Champaign, Illinois.

“Director”

The Director of the Champaign County Director.

"Party"

Any person, including the applicant and the County, who complies with the pre-hearing filing requirements set forth in Section 6(B) and who may be affected by the siting of the facility.

“SAO”

The State’s Attorney’s Office of Champaign County, Illinois.

**SECTION THREE: APPLICATION**

**3.1 Procedure**

A. Five (5) complete paper copies of the application, including all site plans, exhibits, and maps, and one (1) digital PDF of the complete application, including all site plans, exhibits, and maps, along with the filing fee required in Section 3.3 shall be submitted to the Director. Upon receipt of any such application, the Director shall date stamp the same and immediately deliver one paper copy each of the application to the Committee Chair, the County Executive, and the Office of the State's Attorney.

B. Within ten (10) working days of the date of submission of the application to the Director, the Director or designee, the Committee Chair, the County Executive or designee, and the State’s Attorney Office designee shall meet to determine whether the application is complete.

C. No application shall be deemed to have been completed and accepted for filing unless all of the requirements of this Section applicable thereto have been met, and the Director shall not give a receipt or other indication of filing until such time as it is determined that the application is complete and complies with all the requirements of this Section. Within 15 working days after receipt of an application, the Director shall advise the applicant either that the application is complete, or that the application is not complete, specifying wherein it is deficient.

D. The time period for review of the application shall not commence until the applicant has been informed that the application is complete, and the applicant shall have submitted 22 additional copies of the completed application to the office of the Director. Upon receipt of these 22 additional copies of the application, the Director shall provide the applicant with a receipt and certification that the application has been accepted for filing, designating the date of filing.

E. The applicant solely is responsible for providing sufficient technical information to meet their burden of proving the criteria cited in Section 39.2(a) of the Act (415 ILCS 5/39.2(a) et seq.).

F. In order to give members of the public an opportunity to make informed written comment and to give the Parties an opportunity to prepare adequately and fairly for the public hearing hereinafter described, any information not included in the completed application shall be inadmissible at said public hearing unless allowed by the hearing officer pursuant to Section 6 herein.

G. A copy of the completed application shall be made available for public inspection in the Director office, and a PDF copy shall be made available on the Champaign County website. Members of the public shall be allowed to obtain a copy of the completed application or any part thereof upon payment of the actual cost of reproduction.

### **3.2 Submittal Requirements**

A. Applications for siting approval shall include the following:

1. A written petition on 8 1/2" x 11" paper that sets forth:

a. The identification of:

(i) The site owner, and if the proposed site is owned in a land trust, each beneficiary of such land trust by name and address, and his or her defined interests therein;

(ii) The site operator;

(iii) The entity, including all engineering, legal, and other consultants, responsible for preparing the application;

b. The legal description of the proposed site and a street address or someother reasonable description of where the proposed site is located;

c. A description of the proposed facility, its operation and its expected period of operation;

d. The area to be served by the proposed facility and a statement of the needs of said area for such a facility;

e. A list of the existing pollution control facilities located within, or serving, or capable of serving, the same need to the area proposed to be served and, with respect to each such facility, the following information shall be provided: location, size, owner and/or operator, type of pollution control facility, remaining capacity, probable life of the proposed facility, and types of wastes received;

f. The expected types and quantities of hazardous, non-hazardous and special waste amounts accepted intentionally or potentially present unintentionally in the facility, the methods of treatment or storage of all

wastes proposed for the pollution control facility or new pollution control facility, the origin of these wastes and the applicant's plan to preclude acceptance of unauthorized wastes;

g. In the case of a sanitary landfill, a description of the geologic and hydrogeologic character of the site including background analyses for groundwater, surface water and air;

h. Reasons supporting approval of the application based on the nine criteria established by Section 39.2(a) of the Act (415 ILCS 5/39.2(a) et seq.); and

i. The following statement signed by the applicant submitted with the application to formally request approval of the application:

“By signing below, I (the applicant) certify all statements and representations in the submitted application are true and accurate to the best of my knowledge, and I hereby formally seek siting approval.”

; and

j. Certification that no less than 14 days prior to an application, the applicant caused written notice either in person or by registered mail, return receipt requested, to be served on the owners of all property within the proposed site not solely owned by the applicant; the owners of all property within 250 feet in each direction of the lot line of the proposed site, said owners being such persons or entities which appear from the authentic tax records of the County in which said facility is to be located, provided that the number of all feet occupied by all private roads, streets, alleys and other public ways shall be excluded in computing the 250 feet requirement, and further provided that in no event shall this requirement exceed 400 feet, including public streets, alleys and other public ways; and members of the General Assembly from the legislative district in which the proposed facility is to be located. In addition, certification that no less than 14 days prior to an application the applicant caused notice to be published in a newspaper of general circulation published in Champaign County. Such notice shall be made in accordance with Section 39.2(b) of the Act (415 ILCS 5/39.2b et seq.) and shall state the name and address of the applicant, the location of the proposed site, the nature and size of the development, nature of the activity proposed, the probable life of the proposed activity, the date when the request for site approval will be submitted, and a description of the right of persons to comment on such a request as hereafter provided.

2. The permit application made to the Illinois Environment Protection Agency, if any such application has been made, and any correspondence with the Agency relating thereto.
3. A site plan or plans drawn at a scale sufficient to show all details of the proposed pollution control facility including but not limited to:
  - a. Fences, easements, utilities, railroad spurs, building and other structures;
  - b. Roads, entrances, parking areas, and driveways;
  - c. Planned landscaping and screening; and
  - d. In the case of a sanitary landfill:
    - (i) Cross sections;
    - (ii) All existing wells within five hundred (500) feet of the site;
    - (iii) All monitoring wells, both existing and planned;
    - (iv) Core sample locations on and within two hundred (200) feet of the site.
4. A detailed topographic survey at a contour interval of no more than two feet and the boundary of any Special Flood Hazard Area located on the subject site and the surrounding area within 500 feet of the site.
5. A depiction of the surface and subsurface drainage characteristics of the site and surrounding area, including the boundary of the watershed tributary to the site, delimitation of sub watersheds within the site, location and description of all known drainage tiles, a description of the efforts made to locate drainage tiles and a description of the drainage away from the site to the nearest perennial stream receiving runoff from the subject area, and a description of the normal flow and seasonal fluctuations in such receiving stream.
6. A statement of the plan of operation for the proposed facility, including, but not limited to, the following:
  - a. Method of landfilling, incineration, resource recovery, or other process including flow diagrams depicting waste flow by type and volume from initial acceptance at the facility to final disposition;
  - b. Hours of operation;
  - c. Personnel;

- d. Litter, vermin, dust and odor control onsite and offsite within one and one-half miles of the site;
  - e. Surface drainage, stormwater runoff, sedimentation, surface water pollution, and erosion control;
  - f. Fire and hazardous material control;
  - g. Corrective action for spills and other operational accidents;
  - h. If applicable, the stages of development or use;
  - i. Building floor plans illustrating material handling equipment and processes, and architectural elevations, including exterior construction materials; and
  - j. A plan for post-closure use or rehabilitation of the site.
7. A report of off-site traffic impact regarding the proposed site including the anticipated number of vehicles and their size, weight and directional distribution, and structural adequacy of affected pavements to include a traffic abatement and control plan to address negative traffic impacts completed by an engineer experienced in traffic engineering and registered in the State of Illinois.
8. A stormwater management plan consistent with the Champaign County Storm Water Management and Erosion Control Ordinance.
9. Identification of the drainage district in which the site is located.
10. A statement of the owner's ability to acquire certificates of insurance to cover accidents, such as fires, explosions, non-sudden accidental occurrences, and pollution impairment.
11. If required for the proposed pollution control facility or new pollution control facility, a copy of the contingency plan prepared pursuant to the Resource Conservation and Recovery Act (42 U.S.C. §6901 et seq.) and a copy of the chemical safety contingency plan prepared pursuant to the Illinois Chemical Safety Act (430 ILCS 45/1 et seq.).
12. A statement describing the past operating experience of the owner and, if operated by a separate entity, such operating entity (and the owner's and operator's subsidiaries, parent corporations, or subsidiaries of the parent corporations), in the field of solid waste management, if any.

13. A statement citing the past record of convictions or admissions of violations of the owner and operating entity (and their subsidiaries, parent corporations, or subsidiaries of the parent corporations). Said statement shall include, but not be limited to, a citation of the applicable statute or ordinance violated; a brief written summary of the violation or conviction; the penalty imposed; and corrective measures taken by the owner and operating entity.

14. A statement assessing the proposed facility's conformance to the most recent five-year update to the Champaign County Solid Waste Management Plan adopted by the County.

15. A written summary of any testimony to be presented at the public hearing by the applicant, a list of all witnesses along with resumes of the qualifications of any expert witnesses the applicant intends to have testify, and all other evidence the applicant desires the Board to consider including, but not limited to studies, maps, reports, permits, or exhibits. A written description may be substituted for any exhibit that will be presented in the public hearing that by virtue of its size, shape, inability to be reproduced, or other characteristics cannot reasonably be made available for public inspection outside of the public hearing. It is intended that the applicant provide a full and complete disclosure of the case to facilitate early review and analysis by any person.

B. The pages of the application and all exhibits submitted to the County shall be consecutively numbered and the application shall contain a table of contents or index.

C. The application shall include the following signatures:

1. The applicant, if different than the owner of the pollution control facility or new pollution control facility.

2. The operator, if different than the owner of the pollution control facility or new pollution control facility.

3. The pollution control facility or new pollution control facility owner.

4. The owners of the land if different than the owner of the pollution control facility or new pollution control facility. If the land is owned in a land trust, the signature of a responsible person for the land trust.

### **3.3 Fees**

A. An application fee in the form of a certified or cashier's check or a line of credit to the County at a local financial institution acceptable to the County shall be paid by the

applicant upon filing pursuant to Section 3.1 A. Such fee may be used by the County to cover its reasonable and necessary costs including but not limited to, notice costs, court reporter costs, transcription costs, County consultant costs, hearing officer costs, attorney's fees, and other expenses incurred by the County in conducting the review of the application, the subsequent public hearing, and the siting approval decision, provided however, that any portion of the application fee that remains unexpended at the conclusion of the siting approval decision shall be returned to the applicant. Should there be any additional costs incurred by the County over the amount paid by the applicant in the application fee, the applicant shall bear any and all additional reasonable and necessary costs. The application fee and all other monies due the County shall be submitted to the Director and made payable to Champaign County.

B. The application fee to be submitted pursuant to this Section shall be as follows:

	New Facility	Expansion of an Existing Facility	Amendment to Original Application
Waste transfer station	\$50,000	\$10,000	\$2,500
Waste storage site	\$50,000	\$10,000	\$2,500
Waste treatment facility	\$50,000	\$10,000	\$2,500
Sanitary landfill	\$250,000	\$50,000	\$12,500
Waste disposal site	\$250,000	\$50,000	\$12,500
Waste incinerator	\$250,000	\$50,000	\$12,500

C. In the event that at any time prior to the conclusion of the siting approval decision, the County has expended such sums so as to reduce the balance of the application fee to a figure less than \$2,500.00, the applicant, within seven calendar days of receipt of written notice thereof, shall contribute an additional \$2,500.00 to the application fee to cover costs as described above. Any portion of the fees, including any additional fees that remain unexpended at the conclusion of the siting approval decision, shall be returned to the applicant as provided in Section 11.

**SECTION FOUR: AMENDED APPLICATION**

A. At any time prior to completion by the applicant of the presentation of the applicant's factual evidence and an opportunity for cross-questioning by any party at the public hearing, the applicant may file not more than one amended application including appropriate application fees, in which

case the time limitation for final action set forth in Section 11C shall be extended for an additional period of 90 days. Said application shall conform to the requirements of Section 3.

B. An applicant may not file a request for location approval which is substantially the same request which was disapproved within the preceding two years pursuant to a finding against the applicant as provided for in Section 10.

## **SECTION FIVE: CHAMPAIGN COUNTY ENVIRONMENT AND LAND USE COMMITTEE RESPONSIBILITY**

A. Following acceptance for filing by the Director, the Committee shall be responsible for conducting the public hearing, reviewing the application, all testimony and exhibits pre-filed or submitted during the public hearing and all comments received at the public hearing or pursuant to Section 8. The Committee shall make findings of fact regarding the siting criteria contained in the Act (Appendix A) and recommend approval or denial to the County Board and, if recommending approval, to recommend conditions to be imposed on that approval.

B. To undertake its responsibilities the Committee shall have authority to:

1. Attend the public hearing and participate in the proceedings as provided in Section 6; call upon the SAO or other County staff for advice and assistance; request additional or supplementary information from the applicant or any other party to the public hearing, with such additional information to be entered into the hearing record as provided in Section 6;

2. Consider requests for and grant waivers from the provisions of this ordinance as provided in Section 12.

C. The Committee shall meet within 45 days of acceptance for filing by the Director to review procedures for the public hearing and consider the need for independent review of the siting approval request by County staff or consultants. The Committee shall meet at least once following the end of the public comment period established in Section 8.

D. All meetings of the Committee shall be conducted in accordance with the Illinois Open Meetings Act.

E. The Committee shall not accept spoken or written communication concerning the siting application outside of the public hearing prior to making a recommendation to the County Board. If any such communication is received by the Committee or by any Committee member, such communication or a description of the contents thereof shall be entered into the public hearing record as provided in Section 6 or, if the hearing has been closed, submitted as public comment as provided in Section 8.

F. The Committee shall make findings of fact and a recommendation to the full County Board within 45 days of the close of the public hearing. If there is no final action by the County Board within 180 days after the date on which the County Board received the request for site approval, the applicant may deem the request approved.

## **SECTION SIX: PUBLIC HEARING**

A. The Committee shall conduct a public hearing no sooner than 90 days but no later than 120 days from the date of acceptance for filing of the completed application by the Director.

B. Any party who desires to participate in the public hearing other than in the public comment period shall file an entry of appearance with the Director at least ten days prior to the public hearing. Any party, except the applicant, who has pre-filed pursuant to this Section, shall submit all written testimony to be presented at the public hearing and all other documentary evidence relating to the applicant requirements pursuant to Section 3.2(A)(15), including but not limited to reports, studies and exhibits that the party desires to submit for the record by filing them with the Director at least ten days prior to the public hearing. In the event that the tenth day prior to the date set for public hearing falls on a Saturday, Sunday or holiday, the next business day shall be considered the day any appearance and/or evidence must be filed. The Director shall date stamp any appearance and/or evidence upon receipt. In the case of documentary evidence, any person shall be allowed to obtain copies of said evidence upon payment of the actual cost of reproduction. Any party who has pre-submitted testimony shall bring at least one copy of that testimony and any exhibits to the public hearing.

C. Within ten (10) business days of the date an application is accepted for filing, the Director shall determine the date, time, and location upon which such public hearing shall be held.

D. The Director shall notify the County Executive, the County Board Chair, the Committee Chair, and the State's Attorney Office of the date upon which such hearing shall be held and shall cause notice of such hearing to be made as follows:

1. Publish two (2) legal notices in a newspaper of general circulation published in Champaign County. One such notice shall be published no later than 60 days from the date the completed application was accepted for filing by the Director, and one such notice shall be published no later than 75 days from the date the completed application was accepted for filing by the Director. Such notices shall consist of the following:

- a. The names and addresses of the applicant;
- b. The legal description of the proposed site;

- c. The street address of the proposed site, or, if there is no street address applicable to the proposed site, a description of the site with reference to location, ownership, or occupancy or in some other manner that will reasonably identify the proposed site to residents in the neighborhood;
- d. The nature and size of the proposed development;
- e. The nature of the activity proposed;
- f. The probable life of the proposed activity;
- g. The time and date of the public hearing;
- h. The location of the public hearing; and
- i. A statement that any person who may be affected by the siting of the facility may file an “entry of appearance” ten (10) days before the hearing to become a party, and that a copy of all testimony and exhibits to be submitted at the public hearing by a party must be pre-filed with the Director at least ten days prior to the public hearing. An “entry of appearance” may be a brief one-page document that is signed by the person or the person’s attorney, to announce that person’s interest in the public hearing and to facilitate that person receiving all notice of subsequent proceedings.

- 2. Notice by certified mail to all members of the General Assembly from the district to which the proposed site is located at least ten (10) days prior to the public hearing.
- 3. Notice by certified mail to the Illinois Environmental Protection Agency at least ten (10) days prior to the public hearing.
- 4. Public hearing notice in a newspaper of general circulation in Champaign County published as a display advertisement at least once during the week preceding the public hearing. Such notice shall consist of all items described in Paragraph 1 above, except for items (b) and (i).

E. The Committee Chair, in consultation with the Director, County Executive, and the SAO may appoint a hearing officer, or the Committee Chair may elect to serve as hearing officer. The hearing officer shall preside over the public hearing and shall make any decisions concerning the admission of evidence and the manner in which the hearing is conducted subject to this Section. The hearing officer shall make all decisions and rulings in accordance with a standard of fundamental fairness to all parties. The hearing officer may allow the submission of additional supplementary information requested by the Committee pursuant to Section 5D, but may exclude irrelevant, immaterial, incompetent or unduly repetitious evidence. No interlocutory appeal may

be taken from a ruling by the hearing officer. The hearing officer shall cause to be made a verbatim written transcript of the hearing and may cause to be made a daily audiotape or videotape or other summary record of the same.

F. The applicant shall have the burden of proof of the suitability of the proposed site location for the proposed pollution control facility or proposed new pollution control facility.

G. Any party appearing at such public hearing shall have the right to give testimony or comment on the suitability of the proposed site location for the proposed pollution control facility or proposed new pollution control facility subject to the provisions of this ordinance. Any party who has filed an entry of appearance as provided in Section 6B shall have the right to be represented by an attorney and to offer expert testimony at said public hearing and the right to reasonable cross examination. To fully participate as provided for in this paragraph, parties shall have complied with all requirements as set forth in paragraph B of this Section.

H. Conduct of the public hearing shall be substantially as follows:

1. Call to order.
2. Introduction of the hearing officer and Committee.
3. Acknowledgement of receipt of fees, certification of notices, and date of filing of the completed application.
4. Identification of parties that pre-filed testimony and that pre-filed exhibits pursuant to this Section.
5. The applicant and other parties may make an opening statement.
6. The hearing officer shall then enter into the record as if read testimony from the applicant and any witnesses the applicant may wish to call, and any evidence it wishes to present. Upon the close of the examination of the applicant's witnesses, the hearing officer shall enter into the record as if read testimony by other parties and their witnesses and the evidence they wish to present. These other parties may or may not be represented by counsel. Upon the close of the applicant's and other parties' testimony and evidence, members of the Committee may question the applicant or other party offering testimony and the hearing officer shall enter into the record as if read testimony by the County and its witnesses and the evidence it wishes to present. The hearing officer shall decide the order of presentation of testimony subject to this Section.
7. The testimony submitted prior to the hearing will be entered into the record as if read, unless the hearing officer determines that it will aid public understanding to have the testimony read. Modifications to previously submitted testimony and exhibits may be allowed by the hearing officer at the hearing, provided that such modifications are either

non-substantive in nature or would not materially prejudice another person's participation at the hearing. Objections to such modifications are deemed to be waived unless raised at hearing.

8. Everyone shall testify under oath and shall sign a Witness Register. Testimony may include the use of exhibits. Everyone shall be subject to reasonable questioning as follows: direct, cross questioning, redirect, recross, etc. After all parties have presented testimony, reasonable rebuttal, sur-rebuttal, etc., may be allowed at the discretion of the hearing officer.

9. Should any issues, facts, data, or other evidence arise during the course of the public hearing that were not apparent or reasonably foreseeable by any party from the completed application as filed with the Director, such situation may constitute grounds for a recess in the public hearing for a period not to exceed five (5) working days and the hearing officer may allow admission of such additional information.

10. Closing statements including legal arguments by the applicant, other parties and the County may be made subject to limitations imposed by the hearing officer.

11. Rebuttal statements, if any, by the applicant, may be made subject to limitations imposed by the hearing officer.

12. A public comment period shall commence following the closing statements and any rebuttal statements allowed by the hearing officer. During the public comment period any person who has not filed an entry of appearance as provided in Section 6B shall be permitted to offer spoken or written comments. The hearing officer may require such persons to provide written notice of their intent to offer comments prior to the start of the public comment period and may set reasonable limits on the time permitted to anyone person to submit such comments. No questioning, cross-examination, or rebuttal to testimony given in the public comment period shall be permitted during the public comment period.

13. The hearing shall be closed by action of the hearing officer.

I. The hearing may be recessed and reconvened by action of the hearing officer.

J. Any member of the County Board or other official of the County may attend the public hearing, in accordance with Illinois Open Meetings Act requirements.

K. The hearing officer has the duty to conduct a fair hearing, to take all necessary action to avoid delay, to maintain order, and to ensure development of a clear, complete, and concise record sufficient to form the basis of appeal of any decision in accordance with Section 40.1 of the Act (415 ILCS 5/40.1 et seq.).

## **SECTION SEVEN: AUTHORITY OF THE HEARING OFFICER**

A. The hearing officer shall have all powers necessary to these ends, including, but not limited to:

1. If appointed per Section 6.e., preside over the public hearing to ensure fundamental fairness;
2. Require everyone to state their position with respect to administering oaths and affirmations;
3. Administer oaths and affirmations;
4. Examine witnesses and direct witnesses to testify for the sole purpose of clarifying the record established by the parties at the public hearing;
5. Regulate the course of the hearing as set forth in this Section 6 including the conduct of the parties, their counsel, and other persons;
6. Establish reasonable limits on the duration of the testimony and questioning of any witness and limit repetitious or cumulative testimony and questioning;
7. Consider and rule upon objections and evidentiary questions;
8. Consider and rule as justice may require upon appropriate motions;
9. Grant recesses of the public hearing as appropriate;
10. Cause a written transcript to be made of the public hearing;
11. Cause a daily audiotape(s), videotape(s) or other summary record(s) to be made; and
12. Cause such transcript and audiotape(s), videotape(s), or other summary record(s), if any, to be delivered to the Director.

B. If no hearing officer is appointed, the Committee Chair shall assume all duties and authorities of the hearing officer and may assign any such duties and authorities to others.

## **SECTION EIGHT: PUBLIC COMMENT**

A. In addition to the public comment period of the public hearing, the Director shall receive written comment from any person concerning the appropriateness of the proposed siting. Upon

receipt of any such written comment, the Director shall date stamp and file such written comment and the postmarked envelope in which comment is received.

B. Copies of such written comments shall be made available for public inspection in the Director office, and any person shall be allowed to obtain copies of any written comment upon payment of actual cost of reproduction.

C. Any written comment received by the Director or postmarked no later than 30 days after the date of the last public hearing shall be made part of the record of the public hearing, as hereinafter described, and the County Board shall consider any such timely written comments in making its final determination concerning said request. In the event that the 30th day falls on Saturday, Sunday, or holiday, the next business day shall be considered the 30th day for purposes of this paragraph.

## **SECTION NINE: RECORD**

A The hearing officer shall be responsible for keeping the record of the said hearing and shall file the record with the Director within thirty (30) days after the date the public hearing is closed.

B. The record shall consist of the following:

1. The completed application as described in Section 3 hereof.
2. Certificate of notice given by applicant pursuant to Section 39.2(b) of the said Act (415 ILCS 5/39.2).
3. Written comments filed by any person received by the Director or postmarked within thirty (30) days after the date of the last public hearing.
4. All testimony, reports, studies, exhibits, written comments, or documents received into evidence at the public hearing.
5. The written transcript of the public hearing and the daily audiotape(s), if any.

C. The Director shall be responsible for certifying all copies of the record of the public hearing.

## **SECTION TEN: SITING APPROVAL RESOLUTION**

A. The Director shall transmit a certified copy of the record of the public hearing to the County Executive within ten (10) business days after the date that the hearing officer files the

hearing record with the Director and to each member of the County Board within fifteen (15) business days after the date the record is filed.

B. The Committee shall review the record of the public hearing and the public comments received pursuant to Section 8 and shall report to the County Board regarding the application. Such report shall contain proposed findings of fact, a recommendation concerning the Board's determination, potential conditions to be imposed on any site approval, and a draft siting approval resolution.

C. The County Board shall consider the certified record of the public hearing and the report of the Committee and shall make a determination concerning the completed application no later than 180 days after the Director accepts the filing of the completed application. The decision shall be in writing and be in the form of a siting approval resolution specifying the reasons for the decision in conformance to the provisions of Section 1B.

D. The County Board, in granting siting approval for a pollution control facility or new pollution control facility, may consider recommendations of the Committee and impose such conditions as may be reasonable and necessary to accomplish the purposes of Section 39.2 of the Act (415 ILCS 5/39.2 et seq.) that are not inconsistent with regulations promulgated by the Illinois Pollution Control Board.

E. All pollution control facilities or new pollution control facilities shall comply with the necessary permit approval received from the Illinois Environmental Protection Agency and such a condition shall be included in the siting approval resolution by the County Board.

F. Such siting approval resolution shall be served upon the applicant and shall be available for public inspection at the Director office and may be copied upon payment of the actual cost of reproduction.

G. This siting approval resolution shall expire at the end of two calendar years from the date upon which it is adopted unless, within that period, the applicant has made application to the Illinois Environmental Protection Agency for a permit to develop the site.

H. No determination by the Board concerning an application may be reconsidered.

## **SECTION ELEVEN: FEES AND COSTS**

A. All reasonable and necessary costs and expenses incurred by the county in conducting the review of the completed application, the subsequent hearing, and the siting approval resolution shall be paid from the fees submitted pursuant to Section 3.3.

B. Upon termination of any proceedings under this ordinance, the Director or designee shall make a final accounting and summary of all authorized reasonable and necessary expenditures made by the County.

C. Any portion of an application fee not required for reimbursement of reasonable and necessary costs and expenses incurred by the County shall be returned to the applicant. Should there be costs and/or expenses in excess of the amount paid by the applicant in the application fee, the applicant shall bear any and all additional reasonable and necessary costs.

#### **SECTION TWELVE: WAIVERS**

In order to ensure fundamental fairness, compliance with the Act, and protect the public interest, the Committee, by majority vote of its members, may waive any of the above provisions, except that such vote shall not conflict with nor override the provisions of Section 6E or Section 7 of this ordinance.

#### **SECTION THIRTEEN: SEVERABILITY**

If any provision of this ordinance or the application thereof to any party, person, or circumstance is held invalid, such invalidity shall not affect other provisions or applications of this ordinance that can be given effect without the invalid provisions or applications of this ordinance and to the end that the provisions or applications of this ordinance are declared to be severable.

**Appendix A****Siting Criteria****Pollution Control Facility or New Pollution Control Facility****415 ILCS 5/39.2**

(a) The county board of the county or the governing body of the municipality, as determined by paragraph (c) of Section 39 of this Act, shall approve or disapprove the request for local siting approval for each pollution control facility which is subject to such review. An applicant for local siting approval shall submit sufficient details describing the proposed facility and evidence to demonstrate compliance, and local siting approval shall be granted only if the proposed facility meets the following criteria:

(i) the facility is necessary to accommodate the waste needs of the area it is intended to serve;

(ii) the facility is so designed, located and proposed to be operated that the public health, safety, and welfare will be protected;

(iii) the facility is located so as to minimize incompatibility with the character of the surrounding area and to minimize the effect on the value of the surrounding property;

(iv) (A) for a facility other than a sanitary landfill or waste disposal site, the facility is located outside the boundary of the 100-year flood plain or the site is flood-proofed; (B) for a facility that is a sanitary landfill or waste disposal site, the facility is located outside the boundary of the 100-year floodplain, or if the facility is a facility described in subsection (b)(3) of Section 22.19a, the site is flood-proofed;

(v) the plan of operations for the facility is designed to minimize the danger to the surrounding area from fire, spills, or other operational accidents;

(vi) the traffic patterns to or from the facility are so designed as to minimize the impact on existing traffic flows;

(vii) if the facility will be treating, storing, or disposing of hazardous waste, an emergency response plan exists for the facility which includes notification, containment, and evacuation procedures to be used in case of an accidental release;

(viii) if the facility is to be located in a county where the county board has adopted a solid waste management plan consistent with the planning requirements of the Local Solid Waste Disposal Act or the Solid Waste Planning and Recycling Act, the facility is consistent with that plan; for purposes of this criterion (viii), the "solid waste management plan" means the plan that is in effect as of the date the application for siting approval is filed; and

(ix) if the facility will be located within a regulated recharge area, any applicable requirements specified by the Board for such areas have been met.

## Appendix B

### Defined Terms: Pollution Control Facility and New Pollution Control Facility

#### (415 ILCS 5/3.330)

(Text of Section from P.A. 102-216)

Sec. 3.330. Pollution control facility.

(a) "**Pollution control facility**" is any waste storage site, sanitary landfill, waste disposal site, waste transfer station, waste treatment facility, or waste incinerator. This includes sewers, sewage treatment plants, and any other facilities owned or operated by sanitary districts organized under the Metropolitan Water Reclamation District Act.

The following are not pollution control facilities:

- (1) (blank);
- (2) waste storage sites regulated under 40 CFR, Part 761.42;
- (3) sites or facilities used by any person conducting a waste storage, waste treatment, waste disposal, waste transfer or waste incineration operation, or a combination thereof, for wastes generated by such person's own activities, when such wastes are stored, treated, disposed of, transferred or incinerated within the site or facility owned, controlled or operated by such person, or when such wastes are transported within or between sites or facilities owned, controlled or operated by such person;
- (4) sites or facilities at which the State is performing removal or remedial action pursuant to Section 22.2 or 55.3;
- (5) abandoned quarries used solely for the disposal of concrete, earth materials, gravel, or aggregate debris resulting from road construction activities conducted by a unit of government or construction activities due to the construction and installation of underground pipes, lines, conduit or wires off of the premises of a public utility company which are conducted by a public utility;
- (6) sites or facilities used by any person to specifically conduct a landscape composting operation;
- (7) regional facilities as defined in the Central Midwest Interstate Low-Level Radioactive Waste Compact;

(8) the portion of a site or facility where coal combustion wastes are stored or disposed of in accordance with subdivision (r)(2) or (r)(3) of Section 21;

(9) the portion of a site or facility used for the collection, storage or processing of waste tires as defined in Title XIV;

(10) the portion of a site or facility used for treatment of petroleum contaminated materials by application onto or incorporation into the soil surface and any portion of that site or facility used for storage of petroleum contaminated materials before treatment. Only those categories of petroleum listed in Section 57.9(a)(3) are exempt under this subdivision (10);

(11) the portion of a site or facility where used oil is collected or stored prior to shipment to a recycling or energy recovery facility, provided that the used oil is generated by households or commercial establishments, and the site or facility is a recycling center or a business where oil or gasoline is sold at retail;

(11.5) processing sites or facilities that receive only on-specification used oil, as defined in 35 Ill. Admin. Code 739, originating from used oil collectors for processing that is managed under 35 Ill. Admin. Code 739 to produce products for sale to off-site petroleum facilities, if these processing sites or facilities are: (i) located within a home rule unit of local government with a population of at least 30,000 according to the 2000 federal census, that home rule unit of local government has been designated as an Urban Round II Empowerment Zone by the United States Department of Housing and Urban Development, and that home rule unit of local government has enacted an ordinance approving the location of the site or facility and provided funding for the site or facility; and (ii) in compliance with all applicable zoning requirements;

(12) the portion of a site or facility utilizing coal combustion waste for stabilization and treatment of only waste generated on that site or facility when used in connection with response actions pursuant to the federal Comprehensive Environmental Response, Compensation, and Liability Act of 1980, the federal Resource Conservation and Recovery Act of 1976, or the Illinois Environmental Protection Act or as authorized by the Agency;

(13) the portion of a site or facility that accepts exclusively general construction or demolition debris and is operated and located in accordance with Section 22.38 of this Act;

(14) the portion of a site or facility, located within a unit of local government that has enacted local zoning requirements, used to accept, separate, and process uncontaminated broken concrete, with or without protruding metal bars, provided that the uncontaminated broken concrete and metal bars are not speculatively accumulated, are at the site or facility no longer than one year after their acceptance, and are returned to the economic mainstream in the form of raw materials or products;

(15) the portion of a site or facility located in a county with a population over 3,000,000 that has obtained local siting approval under Section 39.2 of this Act for a municipal waste incinerator on or before July 1, 2005 and that is used for a non-hazardous waste transfer station;

(16) a site or facility that temporarily holds in transit for 10 days or less, non-putrescible solid waste in original containers, no larger in capacity than 500 gallons, provided that such waste is further transferred to a recycling, disposal, treatment, or storage facility on a non-contiguous site and provided such site or facility complies with the applicable 10-day transfer requirements of the federal Resource Conservation and Recovery Act of 1976 and United States Department of Transportation hazardous material requirements. For purposes of this Section only, "non-putrescible solid waste" means waste other than municipal garbage that does not rot or become putrid, including, but not limited to, paints, solvent, filters, and absorbents;

(17) the portion of a site or facility located in a county with a population greater than 3,000,000 that has obtained local siting approval, under Section 39.2 of this Act, for a municipal waste incinerator on or before July 1, 2005 and that is used for wood combustion facilities for energy recovery that accept and burn only wood material, as included in a fuel specification approved by the Agency;

(18) a transfer station used exclusively for landscape waste, including a transfer station where landscape waste is ground to reduce its volume, where the landscape waste is held no longer than 24 hours from the time it was received;

(19) the portion of a site or facility that (i) is used for the composting of food scrap, livestock waste, crop residue, uncontaminated wood waste, or paper waste, including, but not limited to, corrugated paper or cardboard, and (ii) meets all of the following requirements:

(A) There must not be more than a total of 30,000 cubic yards of livestock waste in raw form or in the process of being composted at the site or facility at any one time.

(B) All food scrap, livestock waste, crop residue, uncontaminated wood waste, and paper waste must, by the end of each operating day, be processed and placed into an enclosed vessel in which air flow and temperature are controlled, or all of the following additional requirements must be met:

(i) The portion of the site or facility used for the composting operation must include a setback of at least 200 feet from the nearest potable water supply well.

(ii) The portion of the site or facility used for the composting operation must be located outside the boundary of the 10-year floodplain or floodproofed.

(iii) Except in municipalities with more than 1,000,000 inhabitants, the portion of the site or facility used for the composting operation must be located at least one-eighth of a mile

from the nearest residence, other than a residence located on the same property as the site or facility.

(iv) The portion of the site or facility used for the composting operation must be located at least one-eighth of a mile from the property line of all of the following areas:

(I) Facilities that primarily serve to house or treat people that are immunocompromised or immunosuppressed, such as cancer or AIDS patients; people with asthma, cystic fibrosis, or bioaerosol allergies; or children under the age of one year.

(II) Primary and secondary schools and adjacent areas that the schools use for recreation.

(III) Any facility for childcare licensed under Section 3 of the Child Care Act of 1969; preschools; and adjacent areas that the facilities or preschools use for recreation.

(v) By the end of each operating day, all food scrap, livestock waste, crop residue, uncontaminated wood waste, and paper waste must be (i) processed into windrows or other piles and (ii) covered in a manner that prevents scavenging by birds and animals and that prevents other nuisances.

(C) Food scrap, livestock waste, crop residue, uncontaminated wood waste, paper waste, and compost must not be placed within 5 feet of the water table.

(D) The site or facility must meet all of the requirements of the Wild and Scenic Rivers Act (16 U.S.C. 1271 et seq.).

(E) The site or facility must not (i) restrict the flow of a 100-year flood, (ii) result in washout of food scrap, livestock waste, crop residue, uncontaminated wood waste, or paper waste from a 100-year flood, or (iii) reduce the temporary water storage capacity of the 100-year floodplain, unless measures are undertaken to provide alternative storage capacity, such as by providing lagoons, holding tanks, or drainage around structures at the facility.

(F) The site or facility must not be located in any area where it may pose a threat of harm or destruction to the features for which:

(i) an irreplaceable historic or archaeological site has been listed under the National Historic Preservation Act (16 U.S.C. 470 et seq.) or the Illinois Historic Preservation Act;

(ii) a natural landmark has been designated by the National Park Service or the Illinois State Historic Preservation Office; or

(iii) a natural area has been designated as a Dedicated Illinois Nature Preserve under the Illinois Natural Areas Preservation Act.

(G) The site or facility must not be located in an area where it may jeopardize the continued existence of any designated endangered species, result in the destruction or adverse modification of the critical habitat for such species, or cause or contribute to the taking of any endangered or threatened species of plant, fish, or wildlife listed under the Endangered Species Act (16 U.S.C. 1531 et seq.) or the Illinois Endangered Species Protection Act;

(20) the portion of a site or facility that is located entirely within a home rule unit having a population of no less than 120,000 and no more than 135,000, according to the 2000 federal census, and that meets all of the following requirements:

(i) the portion of the site or facility is used exclusively to perform testing of a thermochemical conversion technology using only woody biomass, collected as landscape waste within the boundaries of the home rule unit, as the hydrocarbon feedstock for the production of synthetic gas in accordance with Section 39.9 of this Act;

(ii) the portion of the site or facility is in compliance with all applicable zoning requirements; and

(iii) a complete application for a demonstration permit at the portion of the site or facility has been submitted to the Agency in accordance with Section 39.9 of this Act within one year after July 27, 2010 (the effective date of Public Act 96-1314);

(21) the portion of a site or facility used to perform limited testing of a gasification conversion technology in accordance with Section 39.8 of this Act and for which a complete permit application has been submitted to the Agency prior to one year from April 9, 2010 (the effective date of Public Act 96-887);

(22) the portion of a site or facility that is used to incinerate only pharmaceuticals from residential sources that are collected and transported by law enforcement agencies under Section 17.9A of this Act;

(23) the portion of a site or facility:

(A) that is used exclusively for the transfer of commingled landscape waste and food scrap held at the site or facility for no longer than 24 hours after their receipt;

(B) that is located entirely within a home rule unit having a population of (i) not less than 100,000 and not more than 115,000 according to the 2010 federal census, (ii) not less than 5,000 and not more than 10,000 according to the 2010 federal census, or (iii) not less than 25,000 and not more than 30,000 according to the 2010 federal census or that is located in the unincorporated area of a county having a population of not less than 700,000 and not more than 705,000 according to the 2010 federal census;

(C) that is permitted, by the Agency, prior to January 1, 2002, for the transfer of landscape waste if located in a home rule unit or that is permitted prior to January 1, 2008 if located in an unincorporated area of a county; and

(D) for which a permit application is submitted to the Agency to modify an existing permit for the transfer of landscape waste to also include, on a demonstration basis not to exceed 24 months each time a permit is issued, the transfer of commingled landscape waste and food scrap or for which a permit application is submitted to the Agency within 6 months of the effective date of this amendatory Act of the 100th General Assembly;

(24) the portion of a municipal solid waste landfill unit:

(A) that is located in a county having a population of not less than 55,000 and not more than 60,000 according to the 2010 federal census;

(B) that is owned by that county;

(C) that is permitted, by the Agency, prior to July 10, 2015 (the effective date of Public Act 99-12); and

(D) for which a permit application is submitted to the Agency within 6 months after July 10, 2015 (the effective date of Public Act 99-12) for the disposal of non-hazardous special waste; and

(25) the portion of a site or facility used during a mass animal mortality event, as defined in the Animal Mortality Act, where such waste is collected, stored, processed, disposed, or incinerated under a mass animal mortality event plan issued by the Department of Agriculture.

**(b) A new pollution control facility is:**

(1) a pollution control facility initially permitted for development or construction after July 1, 1981; or

(2) the area of expansion beyond the boundary of a currently permitted pollution control facility; or

(3) a permitted pollution control facility requesting approval to store, dispose of, transfer, or incinerate, for the first time, any special or hazardous waste.

(Source: P.A. 102-216, eff. 1-1-22.)



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)

**FILED**

JAN 27 2022

**RETRACTED**  
Filing Fees  
Champaign County Clerk

For Office Use Only

License No. 2022-ENT-21

Date(s) of Event(s) ANNUAL

Business Name: CHAMPAIGN CO FAIR

License Fee: \$ 100.00 ASSOC

Filing Fee: \$ 4.00

TOTAL FEE: \$ 104.00

Checker's Signature: \_\_\_\_\_

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: \_\_\_\_\_, 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 Fair Assoc.
2. Location of Business for which application is made: 302 N COLER AVE URBANA, IL 61803
3. Business address of Business for which application is made: PO BOX 544 URBANA, IL 61803
4. Zoning Classification of Property: \_\_\_\_\_
5. Date the Business covered by Ordinance No. 55 began at this location: \_\_\_\_\_
6. Nature of Business normally conducted at this location: COUNTY FAIR
7. Nature of Activity to be licensed (include all forms of recreation and entertainment to be provided): CARNIVAL, RODEO, DEMO DERBY, CONCERT, TRACTOR PULL
8. Term for which License is sought (specifically beginning & ending dates): Annual

(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: none
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:  
Champaign County Fair Association
2. Date of Incorporation: March 21, 1958 State wherein incorporated: Illinois

Recreation & Entertainment License Application  
Page Three

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

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Give first date qualified to do business in Illinois: \_\_\_\_\_

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

Champaign County Fair Association: PO Box 544 Urbana, IL 61803-0544

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

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

Name of Officer: William (Bill) Alagna

Title: President

Date elected or appointed: December 12, 2017

Social Security No.: REDACTED

Date of Birth: 02/26/1952

Place of Birth: Champaign, IL

Citizenship: US

If naturalized, place and date of naturalization: \_\_\_\_\_

Residential Addresses for past three (3) years:

PO Box 70, 210 E North St. Seymour, IL 61875

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

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.

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:

Champaign County Fair Association: PO Box 544 Urbana, IL 61803-0544

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

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

Name of Officer: Kent Weeks

Title: 1st Vice President

Date elected or appointed: December 1, 2014

Social Security No.: REDACTED

Date of Birth: 4/24/1954

Place of Birth: Urbana, IL

Citizenship: US

If naturalized, place and date of naturalization: \_\_\_\_\_

Residential Addresses for past three (3) years: 2105 Belmont Park Ln, Champaign IL

Business, occupation, or employment for four (4) years preceding date of application for this license: Chambana Sales Owner, 3310 N Mattis Ave, Champaign IL

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.

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:

PO Box 544  
Urbana, IL 61803-0544

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

6. Names of all Officers of the Corporation and other information as listed:  
Name of Officer: Chris Wallace Title: 2nd vice president

Date elected or appointed: 12-1-2019 Social Security No.: REDACTED

Date of Birth: 8-25-48 Place of Birth: Champaign, IL

Citizenship: U.S.  
If naturalized, place and date of naturalization: \_\_\_\_\_

Residential Addresses for past three (3) years:  
2691 Co. Rd. 1000 E  
Champaign, IL 61822

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

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.

Recreation & Entertainment License Application  
Page Three

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:

Champaign County Fair Association: PO Box 544 Urbana, IL 61803-0544

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

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

Name of Officer: Pam Barham Title: Secretary  
Date elected or appointed: December 1, 2014 Social Security No.: REDACTED  
Date of Birth: 1/14/1948 Place of Birth: Urbana, IL  
Citizenship: US

If naturalized, place and date of naturalization: \_\_\_\_\_

Residential Addresses for past three (3) years: 2451 Clayton Blvd. Champaign IL

Business, occupation, or employment for four (4) years preceding date of application for this license: U of I Event Management

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.

Recreation & Entertainment License Application  
Page Three

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:

Champaign County Fair Association: PO Box 544 Urbana, IL 61803-0544

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

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

Name of Officer: HD Brown Title: Treasurer  
Date elected or appointed: February 13, 2017 Social Security No.: REDACTED  
Date of Birth: 10/26/1977 Place of Birth: Danville, IL  
Citizenship: US

If naturalized, place and date of naturalization: \_\_\_\_\_

Residential Addresses for past three (3) years: 4013 Apple Tree Dr. Monticello, IL

Business, occupation, or employment for four (4) years preceding date of application for this license: President, Star Limousine, Champaign IL

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.

## **April**

3 – Cattle Sale

29-30 – Goat Show

## **May**

15 – Lawnmower Demo

## **June**

12 – 4H Horse Clinic

## **July**

1-4 – Audiofeed Music Festival

22-31 – Fair

## **August**

14 – Blues Fest

22 – BBQ Cookoff

## **September**

25 – Stock Car Race

## **October**

9 – MBA Car Show

16 – Down Syndrome Network Buddy Walk

30 – Monster Truck Show

## **2022 Calendar of Events**

**July 22-30 - Fair Week**

***Rentals are added once contract is signed.***

***\*\*\*Moving forward, all large events will be required to apply for their own Rec & Ent License.***

**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

\_\_\_\_\_  
Signature of Manager or Agent

Subscribed and sworn to before me this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_\_.

\_\_\_\_\_  
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.

*W. H. Alagon*  
\_\_\_\_\_  
Signature of President

*Carol J. Barham*  
\_\_\_\_\_  
Signature of Secretary



Subscribed and sworn to before me this 10 day of January, 2022.

\_\_\_\_\_  
Signature of Manager or Agent  
*Lacey L. Teare*  
\_\_\_\_\_  
Notary Public

This COMPLETED application along with the appropriate amount of cash, or certified check made payable to 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.

To be Filed  
In Duplicate  
Filing Fee \$1.00

FORM NPA

DO NOT WRITE IN THIS SPACE

ARTICLES OF AMENDMENT  
to the  
ARTICLES OF INCORPORATION  
under the  
GENERAL NOT FOR PROFIT CORPORATION ACT

Date 3-21-58  
Filing Fee \$ 5.00  
Clerk J. E. R.

To CHARLES F. CARPENTIER, Secretary of State, Springfield, Illinois.

589 33

The undersigned corporation, for the purpose of amending its Articles of Incorporation and pursuant to the provisions of Section 35 of the "General Not For Profit Corporation Act" of the State of Illinois, hereby executes the following Articles of Amendment:

1. The name of the corporation is: CHAMPAIGN COUNTY FAIR ASSOCIATION
2. There are SOME members, having voting rights with respect to amendment.  
(Insert "one" or "many")  
*(Strike paragraphs (a), (b), or (c) not applicable)*
3. (a) At a meeting of members, at which a quorum was present, held on March 19, 1958 and receiving at least two-thirds (2/3) of the votes entitled to be cast by the members of the corporation present or represented by proxy at such meeting.

**PAID**  
MAR 21 1958  
C. S. Quinn  
Secretary of State

~~(b) By a majority of all the members of the corporation present at the meeting.~~  
~~(c) By a majority of all the members of the corporation present at the meeting.~~  
the following amendment or amendments were adopted in the manner prescribed by the "General Not For Profit Corporation Act" of the State of Illinois.

RESOLVED, that the purposes for which the Corporation is organized shall be restated in Paragraph Two (2) of the original Charter to read as follows:

The object for which the Corporation is formed is to encourage and promote an interest in agricultural and horticultural activities in the community.

(Over)

IN WITNESS WHEREOF, the undersigned corporation has caused these Articles of Amendment to be executed in its name by its \_\_\_\_\_ President, and its \_\_\_\_\_ Secretary, this \_\_\_\_\_ 20th \_\_\_\_\_ day of \_\_\_\_\_ March \_\_\_\_\_, 1958 \_\_\_\_\_

THE CHAMPAIGN COUNTY FAIR ASSOCIATION  
(Exact Corporate Title)

Place  
(CORPORATE SEAL)  
Here

By Bernard L. Martin  
Its \_\_\_\_\_ President

Marlo R. Ringo  
Its \_\_\_\_\_ Secretary

STATE OF ILLINOIS  
COUNTY OF CHAMPAIGN

I, Charles Gray, a Notary Public, do hereby certify that on the \_\_\_\_\_ 20th \_\_\_\_\_ day of \_\_\_\_\_ March \_\_\_\_\_, 1958 \_\_\_\_\_, Marlo R. Ringo personally appeared before me and, being first duly sworn by me, acknowledged that \_\_\_\_\_ he signed the foregoing document in the capacity therein set forth and declared that the statements therein contained are true.

IN WITNESS WHEREOF, I have hereunto set my hand and seal the day and year before written.

Place  
(NOTARIAL SEAL)  
Here

Charles Gray  
Notary Public

ESTIMATED  
Box 1174 File 509

ARTICLES OF AMENDMENT  
to the  
ARTICLES OF INCORPORATION  
of

CHAMPAIGN COUNTY FAIR ASSOCIATION  
extended purposes

FILED

MAR 21 1958

Charles S. Ringo  
Secretary of State

State of Illinois  
Notary Public

509

**ILLINOIS**

8115 710 2397

02 26

02 26

07 75

WILLIAM F ALAONA  
218 E NORTH  
POD 73  
SEVROUR IL 61873

Mail 50 15 0168 8: 61



**TO: Environment and Land Use Committee**

**FROM: John Hall, Zoning Administrator  
Susan Burgstrom, Senior Planner**

**DATE: January 31, 2022**

**RE: Authorization for Public Hearing on Proposed Zoning Ordinance Text Amendment authorizing “private or commercial transmission and receiving tower (including antenna) over 100 feet in height” as a second principal use with the “Electrical Substation” land use**

---

## **BACKGROUND**

Planning & Zoning has a client who is interested in bringing high-speed internet to rural communities by installing 120 foot tall towers with antennas on some existing substations in Champaign County.

Private or commercial transmission and receiving towers (including antennas) over 100 feet in height are already allowed by Special Use Permit in all zoning districts except the I-2 Heavy Industry Zoning District, which allows them by-right. These towers are not allowed as a secondary use, however, and that is what the client proposes.

The proposed amendment would limit these towers as second principal uses only with Electrical Substations, and only in the AG-1 and AG-2 Agriculture Zoning Districts.

## **PROPOSED TEXT AMENDMENT**

An outline of the proposed amendment is attached.

## **TEXT AMENDMENT PUBLIC HEARING TIMELINE**

The public hearing requires a legal advertisement in the newspaper and notice provided to all relevant municipalities. If the public hearing is authorized by ELUC on February 10th, the anticipate timeline (\*earliest possible dates) is as follows:

- 
- |  |                                   |
|--|-----------------------------------|
| 1. Public Hearing opens at the Champaign County Zoning Board of Appeals (CCZBA)  | <b>*Thursday, March 31, 2022</b>  |
| 2. Public Hearing closes at CCZBA and the CCZBA makes recommendations to the Champaign County Board                      | <b>**Thursday, April 14, 2022</b> |
| 3. Environment and Land Use Committee of the Champaign County Board (ELUC) affirms or amends CCZBA’s recommendation      | <b>*Thursday, May 5, 2022</b>     |
| 4. Environment and Land Use Committee of the Champaign County Board makes a recommendation to the Champaign County Board | <b>*Thursday, June 9, 2022</b>    |
| 5. Champaign County Board makes a final determination  | <b>*Thursday, June 23, 2022</b>   |
- 

\*earliest anticipated dates of action

## **ATTACHMENTS**

- A Outline of Proposed Amendment

## EXHIBIT A: PROPOSED AMENDMENT

### 1. Add new paragraph 4.2.1 C.7. as follows:

#### 4.2.1 CONSTRUCTION and USE

C. It shall be unlawful to erect or establish more than one MAIN or PRINCIPAL STRUCTURE or BUILDING per LOT or more than one PRINCIPAL USE per LOT in the AG-1, Agriculture, AG-2, Agriculture, CR, Conservation-Recreation, R-1, Single Family Residence, R-2, Single Family Residence, and R-3, Two Family Residence DISTRICTS other than in PLANNED UNIT DEVELOPMENTS except as follows:

7. A private or commercial transmission and receiving tower (including antenna) over 100 feet in height may be authorized as a SPECIAL USE Permit in the AG-1 and AG-2 Agriculture Districts as a second PRINCIPAL USE on a LOT with an Electrical Substation.

**PLANNING &  
ZONING**

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

(217) 384-3708  
[zoningdept@co.champaign.il.us](mailto:zoningdept@co.champaign.il.us)  
[www.co.champaign.il.us/zoning](http://www.co.champaign.il.us/zoning)

To: Environment and Land Use Committee

From: Susan Monte, Planner & County Recycling Coordinator

Date: January 31, 2022

RE: Resolution Authorizing Agreement to Use State Farm Center Parking Lot  
for IEPA One-Day Household Hazardous Waste Collection on April 9, 2022

Request: Recommend County Board Approval

#### Background

The proposed Agreement allows the IEPA contractor and our local one-day HHW collection planning team to use the south east parking lot of the State Farm Center for the upcoming one-day collection.

Attachment: State Farm Center Parking Lot Permit Agreement



STATE FARM CENTER PARKING LOT PERMIT

This agreement ("Agreement") is made and entered into as of the date of final, executing signature, by and between The Board of Trustees of the University of Illinois, a body corporate and politic of the State of Illinois, on behalf of its State Farm Center ("University") and Champaign County Department of Planning & Zoning ("Licensee"), a division of county government in Champaign County, Illinois.

- 1. Description of Event. Household Hazardous Waste One-Day Collection, open to the public, to be set up on April 8, 2022 and held on April 9, 2022 ("Event").
2. University's Provision of Services and Use of Premises. University will provide to Licensee the nonexclusive use of the following University premises:

State Farm Center: Access to the SE Quad Lot

University will grant Licensee access to and use of the premises from 8:00 a.m. on April 8 to provide for set up. Site shall be cleared of all vehicles, staff, and materials by 11:00 p.m. on April 9. Licensee shall ensure that use of University's premises under this Agreement does not interfere with University's use of the premises. Licensee may, with University's approval, supplement the security provided by University with other security in and around the premises. Licensee will ensure that such security will fully cooperate with and will coordinate its activities with the security supervisor provided by University.

- 3. Licensee's Specific Event Duties. Licensee or its agents shall manage all Event activities. Licensee hereby agrees that costs for repairs to any University property damage (including, but not limited to, oil leaks and tent holes in sod) shall be borne entirely by Licensee. Licensee further agrees and understands that no cars are to be left on University property overnight. Any cars left overnight are at the risk of Licensee and car owner and University shall not be responsible for any damage to cars left overnight.
4. Sale of Food and Beverage. No food or beverage will be sold or consumed as part of this event.
5. Fees/Reimbursement of Expenses/Remittance. For use of University premises, Licensee will pay University a fee of \$1000.00. In addition, Licensee shall reimburse University for personnel, additional expenses incurred, and equipment required for the Event. No later than fourteen days after the Event, University will deliver to Licensee a final invoice of actual costs incurred by University. Licensee shall pay the amount due to University no later than 30 days after Licensee's receipt of an invoice. When making payment, Licensee will: (a) remit by check payable to the "University of Illinois"; (b) reference this Agreement and the applicable invoice being paid; and (c) mail to the address listed on the invoice.
6. Permits. Licensee shall be responsible for obtaining all legal permits and other authorizations required for the event.
7. Cancellation. If the Event is cancelled or does not occur for any reason other than a force majeure event, including but not limited to, natural disasters, strikes, fires, war, terrorism or threats of terrorism, government actions, and acts or omissions of third parties, Licensee shall pay University for all actual costs incurred by University in preparation for the Event.

University in its sole discretion may cancel or relocate the Event for reasons of public safety, which include but are not limited to inclement weather.

8. **Insurance.** Prior to the Event, Licensee shall submit proof of commercial general liability insurance coverage for the Event that covers bodily injury and property damage liability arising out of the locations/venues and activities of this Event. Licensee also shall ensure that the policy names the Board of Trustees of the University of Illinois as an additional insured on a primary and non-contributory basis, covering all activities related to the Event and to include all University locations/venues where Event activities are being conducted.
9. **Indemnification.** Licensee shall indemnify and hold harmless University and University's trustees, agents, and employees against all loss, damage, and expense that they may sustain or become liable for on account of injury to or death of persons, or on account of damage to or destruction of property resulting from the Event or arising in any manner from the negligent or intentional acts or omissions of Licensee.
10. **Use of Name.** Licensee shall not, and shall ensure that its agents do not, use the name of or any symbol identified with University or conduct its affairs in such a manner as to imply to anyone dealing with it that it is an official agency or part of University. Licensee may use University's name to make factual statements about the event. In no instance shall Licensee use University's name in such a way as to imply an explicit or implicit endorsement of Licensee by University, per University's Campus Administrative Manual at Section III-16 (<http://cam.illinois.edu/iii/iii-16.htm>).
11. **Compliance.** Licensee shall be responsible for the conduct of activities on University premises and shall ensure that all conduct by its invitees is in accordance with the University's Campus Administrative Manual (<http://www.cam.illinois.edu>) and this Agreement. Specific attention should be paid to Section VIII-1, "Use of University Premises and Facilities on the Urbana-Champaign Campus" at <http://cam.illinois.edu/viii/VIII-1.htm>; and Section V-B-2.1 on "Smoke-Free Campus" at <http://cam.illinois.edu/v/v-B-2.1.htm>.
12. **Notices and Payments.**
  - a. *To Licensee:* Susan Monte, Champaign County Department of Planning and Zoning, Urbana, IL
  - b. *To University:* John Marquardt, State Farm Center, 1800 S. First Street, Champaign, IL 61820
13. **No partnership.** The parties do not intend for this Agreement to create an agency, employment, partnership, or joint venture relationship.
14. **Governing Law.** This Agreement shall be interpreted under the laws of the State of Illinois.
15. **Entire Agreement.** This writing and its incorporated references and attachments contain the entire agreement of the parties concerning the subject matter of the Event.

- 16. **Amendments.** No Amendment of this Agreement will be valid unless made in writing and signed by the parties.
- 17. **Authority.** Each person signing this Agreement represents that he or she has the full authority to bind the party represented to a contract.
- 18. **COVID-19.** The parties agree to implement and follow protocol and other precautions as set forth in accordance with the State of Illinois and the Illinois Department of Public Health.

**THE BOARD OF TRUSTEES OF THE  
UNIVERSITY OF ILLINOIS**

**Champaign County Department of Planning  
and Zoning**

By: \_\_\_\_\_  
Paul N. Ellinger, Interim Comptroller

Date: \_\_\_\_\_

By: \_\_\_\_\_

Name: \_\_\_\_\_

Title: \_\_\_\_\_

Date: \_\_\_\_\_

**PLANNING &  
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DATE: January 31, 2022  
TO: Environment and Land Use Committee  
FROM: Susan Monte, Planner and County Recycling Coordinator  
RE: Agreement Between the County of Champaign, Parkland College and  
A-Team Recyclers with regard to Residential Electronics Collections  
on May 21, 2022 and October 15, 2022

**ACTION**

REQUESTED: Recommend County Board Approval

Please make a recommendation regarding County Board approval of the Agreement Between the County of Champaign, Parkland College and A-Team Recyclers with regard to Residential Electronics Collections on May 21, 2022 and October 15, 2022.

Attachment: Agreement Between the County of Champaign, Parkland College and A-Team Recyclers dated 1/31/2022

**COLLECTOR, COORDINATOR, AND HOST SITE AGREEMENT  
2022 RESIDENTIAL ELECTRONICS COLLECTIONS**

This Agreement is made as of the date below the signature of the last entity to sign it, by and between CHAMPAIGN COUNTY, ILLINOIS, PARKLAND COLLEGE, and A-TEAM RECYCLERS. The authorized signatures of Champaign County, serving as Coordinator of planning for the 2022 Residential Electronics Collection extended event (“Coordinator”), A-Team Recyclers (“Collector”), and Parkland College (“Host Site”), signify acceptance of the terms of this Agreement. The Host Site location is: Parkland College, 2400 W. Bradley Avenue, Champaign, Illinois.

**Section 1. Term**

This Agreement is for services to be provided in conjunction with two Residential Electronics Collection events scheduled to take place in 2022. The set-up for the event will start on Friday, May 20, 2022, and the event will take place and end on Saturday, May 21, 2022. The set-up for the second event will start on Friday, October 14, 2022, and the event will take place and end on Saturday, October 15, 2022.

**Section 2. Collection Event Schedule**

- 2-1. The set-up for the event will start on Friday, May 20, 2022, and the event will take place and end on Saturday, May 21, 2022. The set-up for the second event will start on Friday, October 14, 2022, and the event will take place and end on Saturday, October 15, 2022.
- 2-2. For both Residential Electronics Collection events, Saturday appointments times will be filled prior to considering any expanding to provide for Friday afternoon appointment times. For each event, the advertised hours of the collection event will be, by appointment only, 7:00 a.m. – noon on Saturday, and then, as need be, noon – 3 p.m. on Friday.

**Section 3. Access to Host Site**

- 3-1. The Coordinator event staff, the Collector, and miscellaneous vendors will have access to the Parking Lots M-2, M3, and M-4 as follows:
  - A. For the first event on Friday, May 20, 2022, from 8:00 a.m. to 9:00 p.m., and Saturday, May 21, 2022, from 6:00 a.m. to 9:00 p.m.
  - B. For the second event on Friday, October 14, 2022, , from 8:00 a.m. to 9:00 p.m., and Saturday, October 15, 2022, from 6:00 a.m. to 9:00 p.m.

**Section 4. Coordinator**

- 4-1. The Coordinator, assuming the continued assistance of participating municipal event sponsors, agrees as follows, for the extended collection event:

## Agreement Between Collector, Coordinator, and Host Site

- A. To pay the Collector a one-time flat-rate collection fee of in the amount that may range from \$13,000 per event to a maximum of \$23,000 per event. Variables include whether sufficient community service workers are available to assist in unloading of vehicles during the event, whether the event is expanded include Friday afternoon collection appointments for residents or whether the event includes only Saturday morning collection appointments for residents.
- B. To pay the Collector a prorated charge on the shortfall in weight not to exceed \$600, if the average collection event weight per shipment is below 18,000 pounds.
- C. To participate in promoting each event, indicating: a four-TV limit per household; the need for residents to register online in advance to participate in the one-day collection event; and limiting participation to the residents of unincorporated Champaign County, and residents of the municipalities in Champaign County that support the Residential Electronics Collection event.
- D. To implement, with municipal event sponsors, residents' use of an online reservation system in advance to schedule participation in the collection event.
- E. To provide sufficient event staff and volunteers at each event to:
  - 1) Safely direct vehicles through the collection area; and
  - 2) Pick up on-site trash and recyclable cardboard, paper, Styrofoam generated during the collection event, and sort these items into designated on-site containers.

### Section 5. Collector Services to be Provided

- 5-1. The Collector shall register as a Collector with the Illinois Environmental Protection Agency as required under law, and shall agree to fulfill all the collector obligations listed in Section 1-45 of the Illinois Consumer Electronics Recycling Act (attached as Appendix A) with regard to the electronics devices collected at the planned extended collection event indicated in Section 2, during all times covered under this agreement.
- 5-2. For the one-time, flat-rate collection fee that ranges from \$13,000 to \$23,000 to be charged to the Coordinator for each event as described in Section 4, the Collector agrees to provide the services as listed below to the Coordinator at the planned extended collection event indicated in Section 2, that will take place at Lot M-4 of the Host Site premises of Parkland College, located at 2400 W. Bradley Avenue, Champaign, Illinois.
  - A. The Collector will pre-arrange with the Electronic Manufacturers Recycling Management Company, LLC ("MRM") to receive sufficient quantities of packaging materials, including Gaylords, shrink wrap, and pallets, from MRM so

that the packaging materials are available for set-up and use at the Host Site at Lot M-4 of Parkland College prior to each collection event.

- B. If the Collector uses any additional packaging materials not provided by MRM, it shall be at the Collector's own expense and that the additional packaging materials of a similar quality and type as those provided by MRM.
  - C. The Collector agrees to arrange for and pay all costs associated with the provision of adequate powered industrial trucks, e.g., a forklift and/or a motorized transport vehicle (MTV), plus an adequate number of properly certified forklift operators or MTV operators, for each event.
  - D. The Collector will supply necessary staff at the Host Site for each event as follows:
    - 1) If an event is expanded to include Friday afternoon online appointments for residents, for the first event, by 10 a.m. on Friday, May 20, 2022, and by 6:30 a.m. on Saturday, May 21, 2022; and, for the second event, by 10 a.m. on Friday, October 14, 2022, and by 6:30 a.m. on Saturday, October 15, 2022.
    - 2) If an event will include online appointments for residents only on Saturday morning, for the first event, by 6:30 a.m. on Saturday, May 21, 2022; and, for the second event, by 6:30 a.m. on Saturday, October 15, 2022.
  - E. Based on the best available information about the extended planned event to be provided by the Coordinator to the Collector, the Collector will arrange with the MRM-designated recycler in advance of each event to strive to provide a sufficient and accurate quantity of trucks or trailers to be present at the Host Site for loading at each event, and not overestimate the number of trucks or trailers needed to be present at each event for loading.
  - F. The Collector is responsible to supply necessary staff required for collecting, sorting, and packaging of collected residential CEDs in a manner consistent with the packaging instructions provided by MRM or MRM designee and in accordance with Collector obligations listed in Section 1-45 of the Illinois Consumer Electronics Recycling Act (415 ILCS 151/1-45).
  - G. The Collector is responsible for loading the collected and properly packaged residential CEDs onto trailers or trucks and shall strive to ensure a full load at a net weight of 18,000 pounds per trailer or truck loaded.
- 5-3. The Collector agrees to collect, sort, package, and load into trucks to be provided onsite, the following accepted items (working and non-working) at each event indicated in Section 2:

Cable and Satellite Receivers  
Cameras  
Cash Registers and Credit Card Readers  
Cell Phones and Accessories  
Chargers  
Circuit Boards  
Computer Servers  
Computers and Computer Parts  
Copiers/Printers/Scanners/Fax Machines/Typewriters  
DVD/VHS Players  
External Drives  
Ferrous and Non-Ferrous Metals  
Ink and Toner Cartridges  
Laptops/Tablets/eReaders  
Mice and Keyboards  
Microwaves  
Monitors: All Types  
MP3/iPods/etc.  
Networking Equipment: Modems, Switches, Routers, Hubs  
Phones and Telecom Equipment  
Projectors  
Rechargeable Batteries: Lithium Ion, Ni-Cd, Lead Acid, Ni-Mh  
Stereos/Radios/Speakers  
Televisions: All Types  
Uninterrupted Power Supplies  
Video Game Consoles  
Wire, Cables and Christmas Lights

5-4. The Collector will not accept the following unaccepted items at each event indicated in Section 2:

Freon Containing Items (AC units, dehumidifiers)  
Light Bulbs  
Liquid Containing Items  
Loose Alkaline Batteries (accepted while contained in electronic devices)  
Thermostats  
White Goods (refrigerators, freezers)  
Wooden speakers or large speakers

5-5. The Collector agrees to arrange for and pay all costs associated with the provision of adequate powered industrial trucks, e.g., a forklift and/or a motorized transport vehicle (MTV), plus an adequate number of properly certified forklift operators or MTV operators, to be available for each event.

- 5-6. Except for the recyclable materials (e.g., cardboard and Styrofoam) and trash at each collection event, which the Coordinator staff and volunteers are able to divert and able to fit into the onsite Coordinator or Host Site containers provided at the Host-Site for subsequent recycling or removal, the Collector will accept and load the surplus remaining recyclable materials generated at each event (e.g., plastics, cardboard, and Styrofoam) and all surplus remaining trash generated at each event and remove those materials from the Host Site on the final day of each event.
- 5-7. The Collector will provide proof of insurance requested as part of the contractual service agreement with the Coordinator and the Host Site, with Champaign County, Parkland College, and City of Urbana, City of Champaign, and Village of Savoy listed as additional insured.
- 5-8. The Collector staff shall comply with requests from the Host Site's representative on site pertaining to safety of people, property, and equipment and use of the Host Site.
- 5-9. For each event indicated in Section 2, if the MRM-designated recycler does not plan to completely remove all collected electronics materials from the Host Site by 9 p.m. on that Saturday, the Collector agrees to securely store all collected electronics materials that may remain at the Host Site by 9:00 p.m. on that Saturday within semitrailers or trucks provided by the MRM-designated recycler and that are located in Parking Lot M-4 of the Host Site.

The Collector shall arrange with the MRM-designated recycler, that the MRM-designated recycler completely remove and transport all electronics materials collected at the extended collection event and securely stored within semi-trucks and/or trucks at Parking Lot M-4 of the Host Site by 11 p.m. on the Monday following each event indicated in Section 2. The Collector further agrees that if the MRM-designated recycler should fail to remove materials collected and stored at the Host Site by the deadline established in this paragraph that the Collector will pay a late fee of \$500 per day, commencing on the Tuesday following each event, and continuing until the removal of the stored collected electronics materials. The Collector shall pay any late fees due pursuant to this Paragraph to Parkland College, Attn.: James Bustard, Physical Plant Director, Parkland College, 2400 W. Bradley Avenue, Champaign, Illinois.

- 5-11. Reporting/Documentation of E-waste: The Collector will provide the Coordinator with a receiving report that includes volumes/pounds, description, service date, manifest numbers for all items collected at the extended event, as soon as it becomes available and prior to January 1, 2023.

#### Section 6. Data Security Requirements

- 6-1. All electronics materials brought to the extended event indicated in Section 2 shall immediately become the property of the Collector. No Coordinator event staff, or

volunteers or Host Site staff shall take any collected electronics material. All collected electronics material will be brought back to the MRM-designated recycler's facility in Shorewood, Illinois for further processing or transported directly to a manufacturer-funded electronics recycler.

- 6-2. To discourage theft of the collected CEDs, the Collector shall safeguard collected CEDs at each event and will strive to ensure that collected CEDs are securely loaded onto trucks or trailers provided onsite by MRM-designated recycler, so that MRM-designated recycler can meet requirements for confidentiality and destruction of information or data remaining on hard drives or other electronics equipment.
- 6-3. The Coordinator and Host Site assume no responsibility for information left on any hard drive.

#### Section 7. Employment Issues

- 7-1. The Collector agrees that it is an independent Collector. Supplies provided and services performed pursuant to this Agreement are not rendered as an employee of either the Coordinator or the Host Site and any money received by the Collector pursuant to this Agreement does not constitute compensation paid to an employee.
- 7-2. Neither the Coordinator nor the Host Site assumes liability for actions of the Collector or its subcontractors under this Agreement. The Collector shall maintain sufficient supervision and control of its operation to ensure that services enumerated herein shall be performed in a good and professional manner at all times. The Collector is responsible for paying the payroll taxes and any employee benefits that the Collector utilizes for this event.

#### Section 8. Licenses and Related Laws

- 8-1. The Collector, by signing this Agreement, warrants that the Collector, its employees, and its Collectors which will perform services requiring a license, will have and maintain any required license. However, the Collector may meet the license requirement through use of a subcontractor; provided however, the Collector's use of a subcontractor in that circumstance does not relieve the Collector of any obligations under the Agreement.
- 8-2. The Collector agrees that it will comply with all applicable laws, ordinances and regulations of any kind whatsoever in the performance of this Agreement.

#### Section 9. Liability and Insurance: Coordinator

- 9-1. The Coordinator agrees to assume all risk of loss and to indemnify and hold the Collector and the Host Site, its officers, agents and employees, harmless from and against any and all liabilities, demands, claims, suites, losses, damages, causes of action, fines or judgments, including costs, attorneys' and witnesses' fees, and expenses incident thereto, for injuries to persons (including death) and for loss of, damage to, or

destruction of property because of or arising out of the Coordinator's or its subcontractor's negligent or intentional acts or omissions.

- 9-2. The Coordinator further agrees to maintain adequate insurance to protect the Collector and the Host Site against such risks. The Coordinator shall carry public liability, casualty and auto insurance in sufficient amount to protect the Collector and the Host Site from liability for acts of the Coordinator. Minimum acceptable coverage for bodily injury shall be \$250,000 per person and \$500,000 per occurrence and for property damage, \$1,000,000 per occurrence. The Coordinator shall carry Worker's Compensation Insurance in amount required by laws.
- 9-3. The Coordinator assumes full responsibility for and shall indemnify the Collector and Host Site for all loss or damage of whatsoever kind and nature to any and all Collector and Host Site property resulting from the negligent acts or omissions of the Coordinator or any employee, agent, or representative of the Coordinator or its subcontractor. The Coordinator shall do nothing to prejudice the Collector's right or the Host Site's right to recover against third parties for any loss, destruction of, or damage to (Collector or Host Site) property, and shall upon request and at the Collector's or Host Site's expense, furnish to the Collector or to the Host Site all reasonable assistance and cooperation, including assistance in the prosecution of suit and the execution of instruments of assignment in favor of the Collector or Host Site in obtaining recovery.
- 9-4. All electronics materials brought to the extended collection event indicated in Section 2 shall immediately become the property of the Collector for loading onto trucks or trailers provided at the Host Site premises by the MRM-designated recycler for transport and processing. No Coordinator staff, Host Site staff, or event volunteers shall take any electronics materials.
- 9-5. The Coordinator shall provide the Collector and Host Site with proof of such insurance one month prior to each collection event.

#### Section 10. Liability and Insurance: Collector

- 10-1. The Collector agrees to assume all risk of loss and to indemnify and hold the Coordinator and the Host Site, its officers, agents and employees, harmless from and against any and all liabilities, demands, claims, suites, losses, damages, causes of action, fines or judgments, including costs, attorneys' and witnesses' fees, and expenses incident thereto, for injuries to persons (including death) and for loss of, damage to, or destruction of property because of or arising out of the Collector's or its subcontractor's negligent or intentional acts or omissions.
- 10-2. The Collector further agrees to maintain adequate insurance to protect the Coordinator and the Host Site against such risks. The Collector shall carry public liability, casualty and auto insurance in sufficient amount to protect the Coordinator and the Host Site from liability for acts of the Collector. Minimum acceptable coverage for bodily injury shall be

\$250,000 per person and \$500,000 per occurrence and for property damage, \$1,000,000 per occurrence. The Collector shall carry Worker's Compensation Insurance in amount required by laws.

- 10-3. The Collector assumes full responsibility for and shall indemnify the Coordinator and Host Site for all loss or damage of whatsoever kind and nature to any and all Coordinator and Host Site property resulting from the negligent acts or omissions of the Collector or any employee, agent, or representative of the Collector or its subcontractor. The Collector shall do nothing to prejudice the Coordinator's right or the Host Site's right to recover against third parties for any loss, destruction of, or damage to (Coordinator or Host Site) property, and shall upon request and at the Coordinator's or Host Site's expense, furnish to the Coordinator or to the Host Site all reasonable assistance and cooperation, including assistance in the prosecution of suit and the execution of instruments of assignment in favor of the Coordinator or Host Site in obtaining recovery.
- 10-4. The Collector shall provide the Coordinator and Host Site with proof of such insurance one month prior to the collection event.

#### Section 11. No Smoking or Alcohol on Grounds

- 11-1. The Collector staff and Coordinator event staff and volunteers shall abide by the Host Site rules with regard to the use of the Host Site, including the provision that calls for no smoking on the Host Site and no alcohol to be available on the Host Site.

#### Section 12. Damage to Premises

- 12-1. If the Host Site premises, or any part thereof, or Host Site property on the premises shall be partially damaged, including but not limited to damage caused by hazardous materials and the electronic recyclables collected, occurring during the course of or proximately caused by Collector's use of the premises, or that of Collector's employees or agents, then the Collector shall indemnify and hold Host Site harmless from all costs of such damages including indirect costs such as loss of business, defending against or paying the cost of defending against any resultant legal proceedings or activities or damages caused by anything else related to Collector's activities. Upon repair, Collector shall bear all costs, payable when due. In the event of such damage, at Host Site's option, it may terminate the Agreement without prior notice to the Collector or Coordinator. In the event of such termination, Host Site shall provide notice to Coordinator and Collector within 24 hours.
- 12-2. If the Host Site premises, or any part thereof, or Host Site property on the premises shall be partially damaged, including but not limited to damage caused by hazardous materials and the electronic recyclables collected, occurring during the course of or proximately caused by Coordinator's use of the premises, or that of Coordinator's employees or agents, visitors, volunteers, members of the public who drop off recycling, and vendors engaged by Coordinator; then Coordinator shall indemnify and hold Host

Site harmless from all costs of such damages including indirect costs such as loss of business, defending against or paying the cost of defending against any resultant legal proceedings, activities, or damages caused by anything else related to Coordinator's activities. Upon repair, Coordinator shall bear all costs, payable when due. In the event of such damage, at Host Site's option, it may terminate the Agreement without prior notice to the Collector or Coordinator. In the event of such termination, Host Site shall provide notice to Coordinator and Collector within 24 hours.

Section 13. Dangerous Materials

The Coordinator or Collector shall not keep or have on the Host Site premises any article or thing of a dangerous, inflammable, or explosive character that might unreasonably increase the danger of fire on the subject premises or that might be considered hazardous or extra hazardous by an insurance company.

Section 14. Subordination of Agreement

This Agreement and Coordinator's and Collector's Agreement interests hereunder are and shall be subject, subordinate, and inferior to any liens or encumbrances now or hereafter placed on the subject premises by Host Site, all advances made under any such liens or encumbrances, the interest payable on any such liens or encumbrances, and any and all renewals or extensions of such liens or encumbrances.

Section 15. Time of the Essence

Time is of the essence of each and every provision hereof.

Section 16. Abandonment

If at any time during the term of this Agreement, the Collector abandons the Host Site premises or the property it collects during a residential electronics collection event, Host Site may, at Host Site's option, without being liable for any prosecution therefore, and without becoming liable to Collector for damages or any payment of any kind whatever, consider any personal property belonging to Collector and left on the premises to also have been abandoned, in which case Host Site may keep or dispose of all such personal property in any manner Host Site shall deem proper and is hereby relieved of all liability for doing so. Abandonment of the premises will have occurred if Host Site cannot obtain a decision by Collector regarding the removal and disposal of the recycling materials within seven days following the extended collection event.

Section 17. Contact Information

Contact information for the Host Site is as follows:

Name: Parkland College Community College  
Address: 2400 West Bradley Avenue, Champaign, IL 61821  
Contact Person: James Bustard Title: Physical Plant Director  
Contact's work phone: 217-351-2211, Extension 108

Contact information for the Coordinator is as follows:

## Agreement Between Collector, Coordinator, and Host Site

Name: Champaign County  
Address: 1776 E. Washington Street, Urbana, Illinois 61802  
Contact person: Susan Monte Title: Champaign County Recycling Coordinator  
Contact's work phone: 217-819-4127  
Contact's cell phone: 217-600-1516

Contact information for the Collector is as follows:

Name: A-Team Recyclers  
Address: 304 Gregory Court, Shorewood, IL 60404  
Contact Person: James Larkin Title: Owner  
Contact's work phone: 815-630-4308  
Contact's cell phone: 815-600-3608

### Section 18. Choice of Law

- 18-1. This Agreement and the Collector's obligations and services hereunder are hereby made and must be performed in compliance with all applicable federal and state laws.
- 18-2. This Agreement shall be construed in accordance with the laws of the State of Illinois.

### Section 19. Agreement Severability

- 19-1. In the event that any one or more of the provisions contained in this Agreement shall for any reason be held to be invalid, illegal, or unenforceable in any respect, such invalidity, illegality, or unenforceability shall not affect any other provisions and the Agreement shall be construed as if such invalid, illegal, or unenforceable provision had never been contained in it.

### Section 20. Changes

- 20-1. The Coordinator, Host Site, or Collector, may, from time to time, require or request changes in the scope of services to be performed hereunder. Such changes which are mutually agreed upon by and between all parties shall be incorporated only in written amendments to this Agreement.

### Section 21. Termination

- 21-1. This Agreement may be terminated, for any or no reason, at the option of any party upon 60 days written notice to the other party.
- 21-2. Notwithstanding the foregoing, the obligations of the Collector under Section 22 of this Agreement shall survive and not be affected by any termination of this Agreement or by its expiration.

### Section 22. Remedies

- 22-1. Except as may be otherwise provided in this Agreement, all claims, counter-claims, disputes and other matters in question between the Coordinator, Host Site and Collector, arising out of or relating to this Agreement or the breach thereof shall be

Agreement Between Collector, Coordinator, and Host Site

initiated in the Circuit Court of Champaign County, Illinois. Each party shall be responsible for its own attorney's fees and costs.

Section 23. Successors and Assigns

23-1. This Agreement and all the covenants hereof shall inure to the benefit of and be binding upon the Coordinator, Collector and Host Site, respectively and their partners, successors, assigns, and legal representatives. No party to this Agreement shall have the right to assign, transfer or sublet their interest or obligations hereunder without the written consent of the other party.

Section 24. Third Party Beneficiaries

24-1. The parties agree that the City of Champaign, the City of Urbana, and the Village of Savoy, to the extent consistent with any intergovernmental agreements with the Coordinator effective during this Agreement, are third party beneficiaries of this Agreement.

The foregoing constitutes the entire Agreement between the parties, and no verbal statement shall supersede any of its provisions.

In witness hereof, the parties have caused this Agreement to be signed by their respective duly authorized officers on the dates noted below.

Collector: James Larkin, Owner A-Team Recyclers	Date
--	------

Host Site: James Bustard, Physical Plant Director Parkland College	Date
---	------

Coordinator: Darlene A. Kloepfel, County Executive Champaign County, Illinois	Date
--	------

# Illinois County and Municipal Joint Action Agency Opt-In Form Illinois Electronics Recycling Program

**Note:** One application per county. To be submitted by County or Municipal Joint Action Agency.

Program Year 2023 (Due March 1, 2022)

## County or Municipal Joint Action Agency Information

Name of County or  
Municipal Joint Action Agency: Champaign County, Illinois  
Street Address (line 1): Champaign County Department of Planning and Zoning  
(line 2): 1776 E Washington Street  
City: Urbana Zip Code: 61802 County: Champaign

## Contact Information

First Name: Susan Last Name: Monte  
Title: County Recycling Coordinator  
Direct Phone: (217) 819-4127 Email: smonte@co.champaign.il.us

## Proposed Collection Sites and/or Events

Pursuant to 415 ILCS 151/1-15 of the Consumer Electronics Recycling Act, counties and municipal joint action agencies that elect to participate are allotted a certain number of collection sites dependent upon the population density within their jurisdiction. Please list all of the recommended locations for permanent sites or one-day events in program year 2023. (Should additional locations be needed, click on the button provided to add more fields.)

**Note:** Sites and events must be located within the participating county or municipal joint action agency.  
These sites are recommendations and not guaranteed to be included in the manufacturer e-waste program plan.

Site  Event

Operator of Site or Event: Parkland College  
Street Address of Location: 2400 West Bradley  
City: Champaign Zip Code: 61822 County: Champaign

Collection site limitations (e.g. residency requirements, operational limitations relating to bulk pickup, etc.), if any:

At the Parkland College host site, Champaign County will coordinate a Residential Electronics Collection (REC) event on Saturday, May 21, 2022, between 8:00 a.m. and noon.  
Residency requirement: Champaign County residents must reside in a participating municipality--one that is contributing to the

Has this site or event operated in a previous program year?  Yes  No

If so, please enter the following information.

Collection Site Contact Name: Susan Monte  
Collection Site Contact Phone: (217) 819-4127 Contact Email: smonte@co.champaign.il.us

Description of Current/Past Services (e.g. semi-trailer pick-ups, box truck pick-ups, need forklift or pallet jack for loading):

In recent years, the County and co-sponsoring municipalities have hired A-Team Recyclers as the Collector at each REC event. A-Team has great knowledge and experience regarding setting up and operating as a Collector at this large REC event at the Parkland College host site.

Estimated Annual CED Collection (pounds): 139,727

Site       Event

Operator of Site or Event: Parkland College

Street Address of Location: 2400 West Bradley

City: Champaign

Zip Code: 61822

County: Champaign

Collection site limitations (e.g. residency requirements, operational limitations relating to bulk pickup, etc.), if any:

At the Parkland College host site, Champaign County will coordinate a Residential Electronics Collections (REC) event on Saturday, October 15, 2022 between 8:00 a.m. and noon.

Has this site or event operated in a previous program year?  Yes     No

If so, please enter the following information.

Collection Site Contact Name: Susan Monte

Collection Site Contact Phone: (217) 819-4127

Contact Email: smonte@co.champaign.il.us

Description of Current/Past Services (e.g. semi-trailer pick-ups, box truck pick-ups, need forklift or pallet jack for loading):

In recent years, the County and co-sponsoring municipalities have hired A-Team Recyclers as the Collector at each REC event. A-Team has great knowledge and experience regarding setting up and operating as a Collector at this large REC event at the Parkland College host site.

Estimated Annual CED Collection (pounds): 139,727

#### Recommended Recycler

Please identify the **recommended** recycler to be used for program year 2023. (Should additional recyclers be needed, click on the button provided to add more fields.)

**Note:** *These recyclers are recommendations and not guaranteed to be included in the manufacturer e-waste program plan.*

Name of Recycler: Dynamic/URT

Street Address: \_\_\_\_\_

City: \_\_\_\_\_

Zip Code: \_\_\_\_\_

County: \_\_\_\_\_

Direct Phone: \_\_\_\_\_

Email: \_\_\_\_\_

#### Certification of Authorized Government Official

Any person who knowingly makes a false, fictitious, or fraudulent material statement, orally or in writing, to the Illinois EPA commits a Class 4 felony. A second or subsequent offense after conviction is a Class 3 felony. (415 ILCS 5/44(h))

By signing this form, you are certifying that the information on this form is accurate.

Name: Darlene A. Kloeppe

Title: County Executive

Phone: (217) 384-3776

Email: dkloeppe@co.champaign.il.us

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Date

When complete, please print, sign, scan, and email this form to:  
[EPA.Recycling@illinois.gov](mailto:EPA.Recycling@illinois.gov) and [info@ilclearinghouse.org](mailto:info@ilclearinghouse.org)

All collectors and their vendors are subject to audits by manufacturer programs authorized under 415 ILCS 151/1-30.

For more information on the Illinois Manufacturer's E-Waste Program, please visit:  
[www2.illinois.gov/epa/topics/waste-management/electronics-recycling](http://www2.illinois.gov/epa/topics/waste-management/electronics-recycling)

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](http://www.co.champaign.il.us/zoning)

**TO: Environment and Land Use Committee**

**FROM: John Hall, Zoning Administrator  
Susan Burgstrom, Senior Planner**

**DATE: January 31, 2022**

**RE: Amend the Champaign County Zoning Ordinance as follows:**

- 1. Amend Section 3.0 Definitions by adding a definition for “apiary”, “beekeeping”, “honey bee”, “nucleus colony” and other related terms.**
- 2. Add footnote 29 to Section 5.2 Table of Authorized Principal Uses for “AGRICULTURE” for the R-1, R-2, and R-3 Districts, and on LOTS with SINGLE or TWO-FAMILY DWELLINGS in the R-4 DISTRICT that indicates that beekeeping shall be authorized per the requirements of Section 7.8.**
- 3. Add footnote 30 to Section 5.2 Table of Authorized Principal Uses for “AGRICULTURE” for the R-4 and R-5 Districts, that indicates that beekeeping is not an authorized USE in the R-4 DISTRICT on LOTS with MULTI-FAMILY DWELLINGS and R-5 DISTRICT.**
- 4. Add new Section 7.8 Beekeeping in the R-1, R-2, and R-3 Districts and on LOTS with SINGLE or TWO-FAMILY DWELLINGS in the R-4 DISTRICT, with new requirements including but not limited to the following:**
  - A. Beekeeping shall be authorized only as a home occupation and shall be authorized by a Zoning Use Permit, with the following exceptions made to the requirements in Section 7.1.1:**
    - (1) The limitations on non-resident, non-family employees in Section 7.1.1A. notwithstanding, there are no limits on the number of employees that may be present or on the hours that employees may be present on the APIARY LOT.**
    - (2) The requirements of Section 7.1.1B. notwithstanding, BEEKEEPING activities may be conducted outdoors on the APIARY LOT.**
    - (3) Smoking used to calm HONEY BEES during APIARY activities shall not constitute a violation of Section 7.1.1G.**
    - (4) The requirements of Section 7.1.1J. notwithstanding, empty BEEHIVES may remain outdoors so long as upright and maintained.**

- 
- B. All beekeeping shall be in compliance with the State of Illinois Bees and Apiaries Act and all beehives and/ or nucleus colony shall be registered with the Illinois Department of Agriculture.**
- C. Beekeeping shall be in compliance with the Champaign County Nuisance Ordinance.**
- D. Add a limit on the number of beehives that may be kept on a lot based on the area of the lot as follows:**
- (1) On a lot with no more than 10,000 square feet of area there shall be no more than four beehives and for each additional 2,500 square feet of lot area there may be one additional beehive; and**
  - (2) One nucleus colony shall be allowed for each authorized beehive; and**
  - (3) Each NUCLEUS COLONY shall be moved, disposed of, or combined with an authorized COLONY within 45 days after the date it is acquired except that any NUCLEUS COLONY may be kept between August 15 and April 15 to mitigate winter bee losses.**
  - (4) Allow temporary housing of one swarm of honey bees for no more than 3 months from the date acquired, subject to notifying the Zoning Administrator.**
- E. Add a minimum required separation between any beehive and/or nucleus colony and a lot line of 5 feet and no more than 25 feet to any street right of way, improved alley, or access easement, and 10 feet to any structure on any adjacent lot.**
- F. Add requirements for management practices as follows:**
- (1) Add a requirement that any beehive and/or nucleus colony on any lot with 40,000 square feet or less lot area in an apiary with more than two beehives to be enclosed by a three-foot high fence or wall.**
  - (2) Add a requirement for a minimum six-foot high flyway barrier for any beehive and/ or nucleus colony located less than 25 feet from a lot line and require the flyway barrier to extend a two feet past either side if the barrier is located in front of the bee opening, and if not located in front of the opening to the beehive, eight feet on either side of the beehive and/ or nucleus colony.**

- (3) **Add a requirement for a minimum of two sources of water to be continuously available in the apiary when honey bees are active outside a beehive if an apiary has more than two beehives, and one water source if two or fewer beehives. Each required water source shall be no further from a beehive or nucleus colony than one-half the distance to any other possible water source on any adjacent lot and shall allow honey bee access to water by landing on a hard surface.**

- G. Add a requirement that any BEEKEEPING that exceeds any of the standards in paragraphs 7.8 D. through F. may be authorized by SPECIAL USE Permit.**

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## STATUS

At the December 2, 2021 public hearing, the Zoning Board of Appeals voted 6-0 to forward Case 014-AT-21 with a RECOMMENDATION FOR DENIAL. At the January 6, 2022 ELUC meeting, members voted 6-1 to forward Case 014-AT-21 with a RECOMMENDATION FOR DENIAL. The case has been on file since then to await any additional comments from municipalities, townships with plan commissions, and residents.

The City of Urbana plans to discuss the text amendment at its Plan Commission meeting on February 10<sup>th</sup> and its City Council meeting on February 14<sup>th</sup>.

Two emails were received from Barney Bryson, a former resident of the Prairieview Subdivision – see Attachment B.

## NEXT STEPS

ELUC has several options for a text amendment:

- A. Forward the text amendment with a recommendation for approval.
- B. Forward the text amendment to the County Board with a recommendation for denial.
- C. Not forward the text amendment to the County Board, which would signify a denial. ELUC should provide an explanation why they are not forwarding the amendment.
- D. Remand the text amendment back to the ZBA to make changes.

With any of these options, ELUC should provide an explanation why they are choosing that direction.

## ATTACHMENTS

- A Legal advertisement
- B Emails from Barney Bryson received January 10 & 19, 2022
- C Draft Ordinance for Case 014-AT-21 with Attachment:
  - Exhibit A: Amendment for Case 014-AT-21

LEGAL PUBLICATION: WEDNESDAY, JULY 14, 2021

CASE: 014-AT-21

**NOTICE OF PUBLIC HEARING IN REGARD TO AN AMENDMENT TO THE TEXT OF THE CHAMPAIGN COUNTY ZONING ORDINANCE**

CASE 014-AT-21

The Champaign County Zoning Administrator, 1776 East Washington Street, Urbana, has filed a petition to amend the text of the Champaign County Zoning Ordinance. The petition is on file in the office of the Champaign County Department of Planning and Zoning, 1776 East Washington Street, Urbana, IL.

A public hearing will be held **Thursday, July 29, 2021 at 6:30 p.m.** prevailing time in the Shields-Carter Meeting Room, Brookens Administrative Center, 1776 East Washington Street, Urbana, IL, at which time and place the Champaign County Zoning Board of Appeals will consider a petition for the following:

Amend the Champaign County Zoning Ordinance as follows:

1. Amend Section 3.0 Definitions by adding a definition for “apiary”, “beekeeping”, “honey bee”, “nucleus colony” and other related terms.
2. Add footnote 29 to Section 5.2 Table of Authorized Principal Uses for “AGRICULTURE” for the R-1, R-2, and R-3 Districts, that indicates that beekeeping shall be authorized per the requirements of Section 7.8.
3. Add footnote 30 to Section 5.2 Table of Authorized Principal Uses for “AGRICULTURE” for the R-4 and R-5 Districts, that indicates that beekeeping is not an authorized USE in the R-4 and R-5 DISTRICTS.
4. Add new Section 7.8 Beekeeping in the R-1, R-2, and R-3 Districts, with new requirements including but not limited to the following:
  - A. Beekeeping shall be authorized only as a home occupation and subject to the requirements of Section 7.1.1 except where the requirements of this Section are in addition to or exceed the requirements of Section 7.1.1, and shall be authorized by a Zoning Use Permit in accordance with Section 9.1.2 of the Zoning Ordinance prior to establishment.
  - B. All beekeeping shall be in compliance with the State of Illinois Bees and Apiaries Act and all beehives and/ or nucleus colony shall be registered with the Illinois Department of Agriculture.
  - C. Beekeeping shall be in compliance with the Champaign County Nuisance Ordinance.
  - D. Add a limit on the number of beehives that may be kept on a lot based on the area of the lot as follows:
    - (1) On a lot with no more than 10,000 square feet of area there shall be no more than three beehives and for each additional 10,000 square feet of lot area there may be one additional beehive; and

- (2) One nucleus colony shall be allowed for each authorized beehive provided that the nucleus colony is moved or combined with an authorized colony within 30 days; and
  - (3) Allow temporary housing of one swarm of honey bees for no more than 3 months from the date acquired, subject to notifying the Zoning Administrator.
- E. Add a minimum required separation between any beehive and/or nucleus colony and a lot line of 10 feet and 30 feet to any street right of way, improved alley, or access easement, and 30 feet to any structure on any adjacent lot.
- F. Add requirements for management practices as follows:
- (1) Add a requirement that any beehive and/or nucleus colony on any lot with 40,000 square feet or less lot area to be enclosed by a four-foot high fence or wall with a self-latching gate.
  - (2) Add a requirement for a minimum six-foot high flyway barrier for any beehive and/or nucleus colony located less than 16 feet from a lot line and require the flyway barrier to extend a minimum of 10 feet on each side of the beehive and/ or nucleus colony.
  - (3) Add a requirement for a minimum of two sources of water to be continuously available in the apiary when honey bees are active outside a beehive. Each required water source shall be no further from a beehive or nucleus colony than one-half the distance to any other possible water source on any adjacent lot and shall allow honey bee access to water by landing on a hard surface.
- G. Add a requirement that any BEEKEEPING that exceeds any of the standards in paragraphs 7.8 D. through F. may be authorized by SPECIAL USE Permit.
5. Amend Section 9.3.1 G.6. by adding a \$33 Change of Use Permit Application Fee to establish beekeeping in the R-1, R-2, and R-3 Districts.

All persons interested are invited to attend said hearing and be heard. Please wear a mask if you are not vaccinated. If you would like to submit comments or questions before the meeting, please call the P&Z Department at 217-384-3708 or email [zoningdept@co.champaign.il.us](mailto:zoningdept@co.champaign.il.us) no later than 4:30 pm the day of the meeting. The hearing may be continued and reconvened at a later time.

Ryan Elwell, Chair  
Champaign County Zoning Board of Appeals

**TO BE PUBLISHED: WEDNESDAY, JULY 14, 2021, ONLY**

Send bill and one copy to: Champaign County Planning and Zoning Dept.  
Brookens Administrative Center  
1776 E. Washington Street  
Urbana, IL 61802  
Phone: 384-3708

**Susan Burgstrom**

---

**From:** Barney Bryson <bdbbryson@gmail.com>  
**Sent:** Wednesday, January 19, 2022 10:07 PM  
**To:** Susan Burgstrom  
**Subject:** Re: honeybee email

Yes, and It can be included to the full County Board as well. The neighbors are sick of these people, they aren't listening to us, their words not mine. To be fair it was mainly the palpable attitude of the ZBA. We haven't got the time for me to address issues of that kangaroo court. If John thinks it will harm his work you may hold it back. John understands the issue. He has done a very good job to be as fair and accommodating as possible to all. I don't want to sabotage the work he has done. However if he is indifferent those people need to hear of their bias and poor public service. Not to sound like sour grapes but the basis is the potential for the percentage of nuisance is increased by the number of hives allowed. They are allowing any number of hives. For a char to perpetuate the false narrative of this being an issue between two people is so palpable it's nauseating. I will give Mr. Esery the credit for at least blaming party positions whatever that meant. Thank you for your work as well Susan. We are very appreciative of all you do.  
Barney Bryson

On Wed, Jan 19, 2022 at 2:47 PM Susan Burgstrom <[sburgstrom@co.champaign.il.us](mailto:sburgstrom@co.champaign.il.us)> wrote:

Hi Barney,

Did you want this email distributed to ELUC?

Thanks,  
Susan

RECEIVED

JAN 20 2022

CHAMPAIGN CO. P & Z DEPARTMENT

---

**From:** Barney Bryson <[bdbbryson@gmail.com](mailto:bdbbryson@gmail.com)>  
**Sent:** Monday, January 10, 2022 12:33 PM  
**To:** Susan Burgstrom <[sburgstrom@co.champaign.il.us](mailto:sburgstrom@co.champaign.il.us)>  
**Subject:** Re: ELUC meeting for Text Amendment Case 014-AT-21

I am amazed but not surprised by the lack of confidence the public has even in local politics. At least half of the ZBA telegraphed their opposition to the neighborhood's request to limit bees from the beginning. One gentleman did give it thought and offered solutions that fell on deaf ears. Continual

unanimous voting on a subject removes any validation of the "unanimous" statement and indicates merely a group of followers.

As for ELUC at least one person displayed understanding and comprehension of the issue and stood their ground on their belief. A very honorable action. Another attempted to make this a political party issue. Fun fact: Most of the people on the petition and in the neighborhoods fall into that R category he was so worried about. To close, I was totally dumbfounded to see that an "intelligent" man continued with the false narrative of this being two neighbors having a dispute. Taking a page right out of the past failed commander in chief's play book. It was a person representing the beekeepers pontificating the lie that it was simply between two people. The ELUC Chair continued the lie. That tells me that he did not count the number of people that signed the petition. He did not pay attention to the people that testified at the ZBA meeting opposing the nuisance of the amount of bees. Then after his comment that he had been a beekeeper I understood his allegiance to his beekeeping friends. He understood full well the people of the two neighborhoods' issue, and he also could count the numbers on the petition. His false narrative and allegiance lay with the beekeepers. In the future please try not to telegraph your bias so clearly. It is embarrassing and a great disappointment! I thought our county was above that.

Thank you,  
Barney Bryson

On Fri, Jan 7, 2022 at 9:21 AM Susan Burgstrom <[sburgstrom@co.champaign.il.us](mailto:sburgstrom@co.champaign.il.us)> wrote:

At last night's ELUC meeting, members followed the recommendation of the ZBA, which was to recommend denial of the proposed honeybee text amendment. The amendment will be on file until the next ELUC meeting on February 10<sup>th</sup> to give time to municipalities to provide input, and then will proceed to the full County Board for final decision on February 24, 2022.

Thanks,  
Susan

**ORDINANCE NO. 2022-\_\_**  
**ORDINANCE AMENDING ZONING ORDINANCE**  
**ZONING CASE 014-AT-21**

WHEREAS, the Champaign County Zoning Board of Appeals held a public hearing, made a formal recommendation for denial of this amendment, and forwarded to this Board Case Number 014-AT-21;

WHEREAS, the Environment and Land Use Committee has voted to uphold the recommendation of the Zoning Board of Appeals and recommends denial of this amendment;

WHEREAS, it is up to the Champaign County Board to determine if the proposed amendment is for the best interests of the County and for the public good and welfare to amend the Champaign County Zoning Ordinance in a manner hereinafter provided;

NOW, THEREFORE BE IT ORDAINED, by the Champaign County Board, Champaign County, Illinois, that Resolution No. 971, *The Zoning Ordinance of the County of Champaign, Illinois* is amended in the manner attached hereto.

PRESENTED, PASSED, APPROVED, AND RECORDED this 24th day of February, A.D. 2022.

\_\_\_\_\_  
Kyle Patterson, Chair  
Champaign County Board

ATTEST:

Approved:

\_\_\_\_\_  
Aaron Ammons, County Clerk and  
Ex-Officio Clerk of the County Board

\_\_\_\_\_  
Darlene A. Kloepfel, County Executive

Date:

**EXHIBIT A****1. Add the following to Section 3. Definitions:**

APIARY: The assembly of one or more COLONIES of HONEY BEES at a single location.

BEEHIVE: The receptacle or box inhabited by a COLONY of HONEY BEES that is manufactured for that purpose.

BEEKEEPER: A person who owns or has charge of one or more COLONIES of HONEY BEES.

BEEKEEPING: The keeping, raising, and management of one or more COLONIES of HONEY BEES.

COLONY: A BEEHIVE and its equipment, the HONEY BEES, honey combs and honey, and the brood.

HONEY BEE: All life stages and castes of the common domestic honey bee, *apis mellifera* species.

NUCLEUS COLONY: A small quantity of bees with a queen housed in a smaller than usual BEEHIVE box kept for a particular purpose such as queen management or pest management. A NUCLEUS COLONY shall not exceed one standard nine and five-eighths-inch deep ten-frame BEEHIVE body with no supers attached.

SWARM: A group of HONEY BEES, usually calm and with a queen, that have left a hive to find a new home.

**2. Add footnote 29 to Section 5.2 Table of Authorized Principal Uses and indicate footnote 29 for “AGRICULTURE” for the R-1, R-2, R-3, and R-4 Districts, as follows:**

29. BEEKEEPING in the R-1, R-2, and R-3 DISTRICTS and on LOTS with SINGLE or TWO-FAMILY DWELLINGS in the R-4 DISTRICT shall be authorized per the requirements of Section 7.8.

**3. Add footnote 30 to Section 5.2 Table of Authorized Principal Uses and indicate footnote 30 for “AGRICULTURE” for the R-4 and R-5 Districts, as follows:**

30. BEEKEEPING is not an authorized USE in the R-4 DISTRICT on LOTS with MULTI-FAMILY DWELLINGS and in the R-5 DISTRICT.

**4. Add Section 7.8 as follows:****7.8 BEEKEEPING in the R-1, R-2, R-3, and R-4 DISTRICTS**

- A. In the R-1, R-2, and R-3 Residential DISTRICTS and on LOTS with SINGLE or TWO-FAMILY DWELLINGS in the R-4 DISTRICT, BEEKEEPING shall be authorized only as a HOME OCCUPATION and subject to the requirements of Section 7.1.1 except where the requirements of this Section are in addition to or exceed the requirements of Section 7.1.1, and shall be authorized by a Zoning Use Permit in accordance with Section 9.1.2 of the Zoning Ordinance prior to establishment. The following exceptions are made to the requirements in Section 7.1.1:
1. The limitations on non-resident, non-family employees in Section 7.1.1A. notwithstanding, there are no limits on the number of employees that may be present or on the hours that employees may be present on the APIARY LOT.
  2. The requirements of Section 7.1.1B. notwithstanding, BEEKEEPING activities may be conducted outdoors on the APIARY LOT.
  3. Smoking used to calm HONEY BEES during APIARY activities shall not constitute a violation of Section 7.1.1G.
  4. The requirements of Section 7.1.1J. notwithstanding, empty BEEHIVES may remain outdoors so long as upright and maintained.
- B. All BEEKEEPING shall be in compliance with the State of Illinois Bees and Apiaries Act (510 ILCS 20/ 1 et. seq.) and all BEEHIVES and/or NUCLEUS COLONY shall be registered with the Illinois Department of Agriculture as follows:
1. A copy of the original Illinois Department of Agriculture Registration Certificate shall be provided to the Zoning Administrator prior to the issuance of the Zoning Compliance Certificate.
  2. The BEEKEEPER shall provide the Zoning Administrator with any changes or revisions to the Illinois Department of Agriculture Registration Certificate.
- C. BEEKEEPING shall be in compliance with the *Champaign County Nuisance Ordinance*.
- D. Number of BEEHIVES allowed.
1. On a LOT with a LOT AREA of no more than 10,000 square feet, four BEEHIVES shall be allowed. One NUCLEUS COLONY shall also be allowed for each authorized BEEHIVE.
  2. One additional BEEHIVE and one additional NUCLEUS COLONY shall be allowed for each additional 2,500 square feet of LOT AREA.
  3. Each NUCLEUS COLONY shall be moved, disposed of, or combined with an authorized COLONY within 45 days after the date it is acquired except that any NUCLEUS COLONY may be kept between August 15 and April 15 to mitigate winter bee losses.

4. If the BEEKEEPER serves the community by removing a SWARM or SWARMS of HONEY BEES from locations where they are not desired, the BEEKEEPER may temporarily house the SWARM on the APIARY LOT in compliance with the standards set out in this ordinance and the Nuisance Ordinance for no more than 3 months from the date acquired, in addition to the other COLONIES allowed under this ordinance. One such SWARM may be housed at a given time on the APIARY LOT. The BEEKEEPER shall provide notice to the ZONING ADMINISTRATOR when the SWARM is temporarily established on the APIARY LOT and when the SWARM has been relocated to another location from the APIARY LOT.
- E. Location of BEEHIVE and/or NUCLEUS COLONY on the LOT.
1. Minimum separation to LOT LINE.
    - a. Minimum separation to FRONT YARD. A BEEHIVE and/or NUCLEUS COLONY shall be located from any STREET RIGHT-OF-WAY no less distance than the actual FRONT YARD of the PRINCIPAL STRUCTURE but in no case shall the BEEHIVE and/or NUCLEUS COLONY be required to be more than 25 feet from any STREET RIGHT-OF-WAY.
    - b. Minimum separation SIDE and REAR YARDS. SIDE and REAR YARDS shall be a minimum of 5 feet except only a three feet separation is needed to any SIDE or REAR LOT LINE for a BEEHIVE and/or NUCLEUS COLONY with a bee opening that faces away from that LOT LINE. The location of the bee opening needs to be indicated on the site plan.
  2. Minimum separation to STRUCTURE. A BEEHIVE and/or NUCLEUS COLONY shall be located a minimum of 10 feet from any existing PRINCIPAL STRUCTURE on any adjacent LOT and any ACCESSORY STRUCTURE on any adjacent LOT such as a patio, gazebo, deck, swimming pools, or permanently affixed play equipment, but not including garages or sheds. This minimum separation shall not be required when the bee opening to a BEEHIVE and/or NUCLEUS COLONY faces away from the lot line of that subject adjacent LOT. The location of the bee opening needs to be indicated on the site plan.
  3. All proposed BEEHIVES and NUCLEUS COLONIES shall be indicated on the site plan for the Zoning Use Permit Application with dimensions to all LOT LINES and the location of the bee opening in each BEEHIVE and/or NUCLEUS COLONY shall also be indicated on the site plan.
  4. BEEHIVES may be replaced or changed over time without requiring a new Zoning Use Permit.
- F. Management practices
1. Fencing.

- a. On a LOT with 40,000 square feet or less of LOT AREA, any BEEHIVE or NUCLEUS COLONY in an APIARY with more than two BEEHIVES shall be enclosed within a three-foot high welded wire or poultry netting fence, or equivalent, supported by steel or wood posts at not more than four feet on center spacing. If the top of the fence is supported by a nominal 2 x 4 board, the posts may be as much as eight feet on center. The fence must have a three-foot high gate that can be latched on the BEEHIVE side of the gate. The requirement for fencing will forever be waived if owners of all bordering LOTS sign a waiver releasing the fencing requirement and submit the waiver to the ZONING ADMINISTRATOR. Bordering LOTS shall not include lots separated by a STREET RIGHT OF WAY or ALLEY.
  - b. The fence shall be at least three feet from any BEEHIVE or NUCLEUS COLONY.
  - c. The fence may be replaced with a flyway barrier per Section 7.8 F.2. when the flyway barrier can serve the same purpose as a fence.
  - d. Any required fencing shall be indicated on the site plan for the Zoning Use Permit Application.
2. Flyway barrier.
- a. When any BEEHIVE or NUCLEUS COLONY is located less than 25 feet from a LOT LINE, there shall be a six-foot high flyway barrier (fence, wall, or dense vegetation) that is a minimum of 67% solid so as to discourage bee flight through the fence or wall or dense vegetation) as follows:
    - (1) No flyway barrier shall be required when the lot line borders land in the AG-1, AG-2, or CR DISTRICTS.
    - (2) If the flyway barrier is located in front of the bee opening to the BEEHIVE or NUCLEUS COLONY and is located within 5 to 6 feet of the BEEHIVE or NUCLEUS COLONY, the flyway barrier need only extend two feet past either side of the BEEHIVE or NUCLEUS COLONY.
    - (3) If the flyway barrier is not located in front of the bee opening to the BEEHIVE or NUCLEUS COLONY per Section 7.8F.2.a.(2), the flyway barrier shall be located parallel to the nearest LOT LINE for a distance of 8 feet on either side of the centerline of the BEEHIVE or NUCLEUS COLONY.
  - b. If dense vegetation is used, the initial planting may be only 4 feet in HEIGHT or a temporary solid fence or wall that is a minimum of 67% solid shall be used until the planting attains 4 feet in height.
  - c. Any required flyway barrier shall be indicated on the site plan for the Zoning Use Permit Application and the location of the bee opening in each BEEHIVE or NUCLEUS COLONY shall also be indicated on the site plan.

- 3. Water source.
  - a. Minimum required.
    - (1) An APIARY with no more than two BEEHIVES shall have a source of water continuously available to the APIARY.
    - (2) Two sources of water shall be continuously available in an APIARY with more than two BEEHIVES.
    - (3) Continuously available means that the water source shall not be allowed to run dry during daylight hours but automatic refill using a connected water line or hose is not required.
    - (4) Any required source of water shall be located no further from a BEEHIVE or NUCLEUS COLONY than one-half the distance to any other visible water source on any adjacent LOT at the time of permitting.
  - b. Water sources shall be continuously available from April 1 to November 30 and all days in which temperatures exceed 55 degrees for three consecutive days.
  - c. Each water source shall be designed to allow HONEY BEES to access water by landing on a hard surface.
  - d. Water sources shall not be allowed to become stagnant or to become a breeding place for mosquitoes.
  - e. All required water sources shall be indicated on the site plan for the Zoning Use Permit Application. The type of water source including the type of hard surface to be provided shall be noted on the site plan.
  - f. Water sources may be replaced or changed over time without requiring a new Zoning Use Permit but any required water sources shall be equivalent to the water sources indicated on the original approved site plan.

G. Any BEEKEEPING that exceeds any of the standards in paragraphs 7.8D. through 7.8F. may be authorized by SPECIAL USE Permit.

**5. Add Section 9.3.1 G.6. adding Zoning Use Permit fee as follows:**

- 6. Change of Use to establish BEEKEEPING in the R-1, R-2, R-3, or R-4 DISTRICT..... No fee