



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

MINUTES – Approved as Distributed May 5, 2022

DATE: Thursday, April 7, 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

Committee Members

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

County Staff: John Hall (Zoning Administrator), Susan Monte (Planner), Darlene Kloeppel (County Executive) and Mary Ward (Recording Secretary)

Others Present: Stan Harper, County Board Member

MINUTES

I. Call to Order

Committee Chair Thorsland called the meeting to order at 6:35 p.m.

II. Roll Call

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

III. Approval of Agenda/Addendum

MOTION by Mr. Esry to approve the agenda, seconded by Ms. King. Upon voice vote, the **MOTION CARRIED** unanimously to approve the agenda.

IV. Approval of Minutes

A. March 10, 2022

MOTION by Mr. Paul to approve the minutes of the March 10, 2022, regular meeting seconded by Mr. Esry. Upon voice vote, the **MOTION CARRIED** unanimously.

V. Public Participation

Dave Wolken, Triple Fork Drainage District, spoke on their ARPA request to remove a box culvert to help prevent flooding.

Mark Dorsey, Water Operator for Penfield Water District, spoke on their need to replace a water pressure tank from 1965. The rest of the system at the plant was updated in 2012. Repairs on the tank, which is over 50 years old, would be approximately \$35,000 and a new tank would be \$58,000 to \$59,000.

Kenny Davenport, Eastern Illini Electric Cooperative, here in support of Zoning Case 040-AT-22 and can answer any questions that arise regarding that issue.

Richard Watkins, Mahomet, spoke as a resident that is affected by the gas leak north of Mahomet. He talked about their experience with People's Gas over the past five years since the leak happened.

Joe Hackney, Village Administrator of St. Joseph, a request was submitted for ARPA funds for the Douglas St. Storm Sewer design work. This is a design job for an older part of the community. This project will help alleviate current flooding problems and will also help with drainage with any future growth.

Larry Johnson, Fehr Graham Engineering, was present in support of and to answer any questions regarding the Tolono project and Royal's project. Royal has a rust removal water treatment plant that needs a pressure filter rebuild and replacement.

Justin Leerkamp, Sidney, spoke regarding concerns about the Wind Ordinance Text Amendment that is currently at the Zoning Board of Appeals. While there are no current applications for new industrial wind complexes, it seems to be more than a rumor as agents are sending letters and knocking on doors in Champaign County. The California Ridge complex has filed for new obstructions in height with the FAA. It's not known if this is for new construction or replacement of turbines. Ten of these obstructions are in Champaign County. The Harvest Ridge complex in Douglas County, near the Champaign County border, has many issues and they have witnessed corruption of public officials, disastrous roads, damaged field tiles, wells with huge increases with sediment from vibration, shadow flicker, etc. Douglas County used poor judgement with their zoning. He offered to show board members or county officials around the area to show what they are dealing with.

Darrel Rice, Philo, shared his concerns on the Wind Farm Ordinance. Next Era Energy is asking for easements, etc. He and most of his neighbors are not interested in living in the footprint of a Wind Farm. A lot of the people who own the land do not live there. The lease being offered is a 96-year lease, so this will affect several generations. If they cannot keep it out, they would like the best provisions and setbacks possible in order to live with it. He really likes the Livingston County zoning ordinance for their setbacks.

Kerry Gifford, Manager, Sangamon Valley Public Water District here to answer any questions we may have on their project and request for funds. The ARPA money requested is for design work to get shovel ready.

Don Wauthier of Berns, Clancy and Associates Engineers, representing the Village of Ogden, to answer any questions about the projects Ogden submitted. They do have funding for their projects and three of the four projects are shovel ready.

Susan Monte, Champaign County Environmental Stewards, spoke in support of the Household Hazardous Waste Collection Facility project. They are requesting \$650,000 to help establish a part-time year-round facility. It would be open twice a month for the public to drop off household hazardous waste. The ARPA timeline aligns with their timeline.

Will Gray, Engineer with Donohue and Associates, spoke on behalf of the Penfield Water District to answer any questions that might arise on their need for a new water pressure tank.

Ted Hartke, Sidney, spoke on the wind turbine noise issue. Noise limits don't protect families inside their homes. Sound is an issue and is a big problem. There is no way to live in a home with the maximum noise levels allowed by IPBC. IPBC noise limits never took wind turbines into account. He is asking the committee to look over the packet that was sent to them and consider using the 3,250 ft. setbacks as used in Livingston County.

VI. Communications

There were no communications.

VII. New Business: Item for Information Only

A. Sangamon Valley Public Water District Proposal for \$500,000 ARPA Funds to Advance Water Main Project in Gas leak Affected Area of Mahomet Aquifer

Kerry Gifford, Manager, and Terry Boyer, Engineer, came forward to answer any questions from the committee. Mr. Stohr said this is a big ask and if all this is needed to provide relief to the people affected by the Peoples Gas leak. Mr. Boyer said the ask is for the full design. It was felt that if they had the full design, then as other funds become available, they would be ready to go. The complete design does include an area larger than just those affected by the gas leak. It also includes additional homes to the east that have older wells where the gas could potentially go. Maps were provided to the committee. Ms. King asked what kind of mitigation is being asked for in the lawsuit. They are not part of that, but to their knowledge nothing has been done so far and there are no plans for that.

Ms. Fortado thanked them for the detail in their project and that the ask is for a specific phase of the project. She also stated that she would like to see the County Board come forth with a Resolution encouraging Peoples Gas to expedite this process and also says to the state legislature to be forthcoming with the money that was allocated. They have been allotted \$3.8 million which would cover the first phase of the project. Design work for the first phase would be \$250,000 to \$300,000.

Mr. Thorsland said the blame and problem lays with Peoples Gas, Light and Coke Co. These funds can be used to help right this. Mr. Patterson agreed that this sounds like a good project and understands the frustration with Peoples Gas. Ms. Fortado also mentioned that we now have grant writers on our staff to help with grants and leveraging our ARPA funds to help find more funds.

B. Triple Fork Mutual Drainage District Proposal for \$120,000 ARPA Funds for Culvert Replacement

Dave Wolken with the Triple Fork Drainage District was available to answer questions. Mr. Esry asked if this area is within the Village of Rantoul. The Village line is just North of this area. Mr. Stohr asked if they get runoff from the new sports complex? Yes, they get water from the sports complex along with a lot of runoff from the old air force base. Ms. King added that this area floods like crazy and this area definitely needs to be taken care of. Mr. Harper asked where exactly the Triple Fork district is located. It

is just south of Rantoul. Mr. Paul asked if this would help eliminate flooding in Fountain Valley. This project should help with the flooding there also. Mr. Stohr then asked, what happens when you remove this culvert, the water goes where? It will go into the Upper Salt Fork.

C. Penfield Water District Proposal for \$70,000 ARPA Funds to Assist with Replacement of Hydropneumatic Water Tank

Mark Dorsey and Will Gray were present to answer questions about the Penfield Water District Proposal. Ms. Fortado asked about their funding. The request is for \$70,000, do you need the remaining \$35,000? They have funds to cover that portion. They have seen a population decline over the years and it is harder to fund and maintain the system over the years. They were asked if there were any plans to sell the water plant once the work was done. There are no plans to do that.

D. Village of Ogden Proposal for \$415,000 ARPA Funds to Assist with Multiple Projects:

- *Broadway Street Drainage - \$120,000
- *Northeast Drainage - \$125,000
- *Rail Trail Area Drainage - \$95,000
- *Wastewater Treatment Plant - \$75,000

Don Wauthier answered questions from the committee regarding the request for the Ogden projects. Mr. Esry asked to clarify that three of the four projects were shovel ready and if the wastewater project was one of those that was shovel ready? It is not, but it would be in about 90 days or so. It will be under construction this fall. The wastewater project has a better funding source than the drainage projects. The funds for drainage projects come from the general fund. Ms. Fortado appreciated that the project with the Kickapoo Trail could be done at the same time as other work on the Trail.

E. Champaign County Farm Bureau, Champaign County Soil & Water Conservation District and Illinois Nutrient Education & Research Council Proposal for \$245,000 ARPA Funding to Accelerate Use of Cover Crops in Champaign County Agriculture – Update

Brad Uken, Manager, Champaign County Farm Bureau and Steve Stierwalt, President, Champaign County Soil & Water Conservation District Board of Directors gave a brief update on the project. There is increased involvement with SWCD and INERC. They have also shortened their timeline and adjusted the budget. They are including small farmers, first timers and verification checks.

Ms. King feels that a program like this should be administered by USDA and managed by Congress. Mr. Thorsland asked what percent of farmers are doing this or tried this in the past five years? Mr. Stierwalt said his estimate would be around six percent. Mr. Thorsland is not sure what the impact would be and not sure we would get the bang for the buck with this project.

Mr. Stierwalt agrees that it needs to be a bigger program; it's a big problem. The STAR (Saving Tomorrows Agricultural Resources) program started in Champaign County and has now spread across the country. Why should Champaign County be involved at this level? There is a lot of interest in carbon right now. We see this as an on-ramp for farmers to the carbon market. This would help teach our farmers how to do these conservation practices to take advantage of this in the future. It takes 3-5 years at a minimum to see the advantage of cover crops. There has to be a place to start and that is what they are suggesting with this money is a way to start down that road.

Much discussion was held about the pros and cons of this project. Ms. Fortado and Mr. Esry both stated that they would like to see this move on to the full County Board. Mr. Stohr added that this is an opportunity to nudge a community in a new direction. He also suggested that the Extension Service would be a good educational partner for this project.

F. Champaign County Environmental Stewards Proposal for \$650,000 ARPA Funds to Establish a Household Hazardous Waste Collection Facility

Susan Monte answered questions regarding the HHW Collection Facility. Ms. Fortado stated this is an important issue. She asked about the confidence in the Capital Campaign. They are hopeful that the municipalities along with the county will help with funding during their budget review process. Mr. Paul asked how many people would be employed? It is a part-time facility, so employment would be part-time and initially they would hire a contractor that specializes in hazmat facilities.

Discussion was then held about the ARPA budget and what money is left to be allocated.

Mr. Patterson asked under what entity would this facility exist. This would be managed by a firm, administered by CCES and aligned with local governments subject to intergovernmental agreements.

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

- A. **Zoning Case 030-AT-21.** Amend the Champaign County Zoning Ordinance to add Data Center as a Special Use in the AG-2 Agriculture, B-4 General Business and I-1 Light Industry Zoning Districts; and add PV SOLAR ARRAY as a County Board Special Use Permit in the AG-2 Agriculture and all Business and Industrial Zoning Districts; and authorize DATA CENTER as a second principal use on property in the AG-2 DISTRICT; and add special use permit standard conditions for both DATA CENTER and PV SOLAR ARRAY; and also add requirements for PV SOLAR ARRAY as an ACCESSORY USE, as described generally, in the legal advertisement.

Mr. Hall said they had made this a little more restrictive and added extra noise control. The Urbana Plan Commission recommended no protest. The item was received and placed on file.

- B. **Zoning Case 040-AT-22.** Amend the Champaign County Zoning Ordinance to add new paragraph 4.2.1 C.7. to provide that 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.

ZBA thought this was a good thing and recommended this unanimously. The item was received and placed on file.

IX. New Business: Items to be Approved by ELUC

- A. Recreation & Entertainment License: Generations Music Booking, NFP for live Bands at the Champaign County Fairgrounds, 1302 North Coler Avenue, Urbana for June 30, 2022 – July 3, 2022.

MOTION by Ms. King and second by Mr. Esry to approve the R & E License for Generations Music Booking. Upon voice vote, the **MOTION CARRIED** unanimously.

- B. Authorization for a Public Hearing on Proposed Zoning Ordinance Omnibus Text Amendment to Update Material Management/Waste-Related Uses

This item is continued until May 5, 2022

X. New Business: Items to be Recommended to the County Board

- A. Champaign County Farm Bureau, Champaign County Soil & Water Conservation District and Illinois Nutrient Education & Research Council Proposal for \$245,000 ARPA Funding to Accelerate Use of Cover Crops in Champaign County Agriculture
- B. Village of Pesotum Proposal for \$250,000 ARPA Funding to Assist with Construction of Sanitary Sewer Collection and Treatment
- C. Village of Tolono Proposal for ARPA Funding to Assist with Construction of Wastewater Treatment Plant
- D. Village of Ludlow Proposal for \$400,000 ARPA Funding to Assist with Upgrades To Community Water Supply Distribution System
- E. Village of Ivesdale Proposal for \$250,000 ARPA Funding to Assist with Upgrades to Community Water Supply Distribution System
- F. Village of Royal Proposal for \$250,000 ARPA Funding to Assist with Water Main Project
- G. Sangamon Valley Public Water District Proposal for \$500,000 ARPA Funds to Advance Water Main Project in Gas Leak Affected Area of Mahomet Aquifer
- H. Triple Fork Mutual Drainage District Proposal for \$120,000 ARPA Funds for Culvert Replacement
- I. Penfield Water District Proposal for \$70,000 ARPA Funds to Assist with Replacement of Hydropneumatic Water Tank
- J. Pesotum Consolidated Drainage District Proposal for \$181,484 ARPA Funds to Help with Replacement of Main Tiles
- K. Village of Thomasboro Proposal for \$450,000 ARPA Funds for Stormwater Drainage Improvements
- L. Village of Ludlow Proposal for ARPA Funds for Sanitary Sewer Construction
- M. Village of Ogden Proposal for \$415,000 ARPA Funds to Assist with Multiple Projects
 - *Broadway Street Drainage - \$120,000
 - *Northeast Drainage - \$125,000
 - *Rail Trail Area Drainage - \$95,000
 - *Wastewater Treatment Plant - \$75,000
- N. Champaign County Environmental Stewards Proposal for \$650,000 ARPA Funds to Establish a Household Hazardous Waste Collection Facility

Discussion was held on items X. A – N and what to move forward to the full County Board. Mr. Thorsland proposed moving all items forward to the County Board and asking the rural districts to look at and

prioritize the projects. Mr. Esry stated that the caucus had discussed these items and the one item that had the least support was the Triple Fork Drainage Project. They were in favor of more funds going to Ludlow. Ogden, with the multiple projects, instead of giving the funds for specific projects, give them funds and they can decide what projects to use it for.

Mr. Paul felt that we should trim what goes to the full Board and give a more definitive list to them. Ms. Fortado agreed and said if we don't, it could be a long meeting. She also doesn't want to forward things we aren't going to do. Ms. Kloeppel clarified that she needs direction for IGA's for the full board to vote on. The money is budgeted, we just need the IGA's. Mr. Patterson asked if they would be voting on IGA's this month? If you want to move them forward in April, which is the idea the committee had at the last meeting, to get them started for the summer; we probably need to do this at the April meeting. Mr. Patterson stated that we need the numbers to make a decision. Mr. Esry stated he had number from the caucus for the districts. The breakdown follows:

In District I, \$500,000 for the Sangamon Valley Public Water District. All the funds would go to them. That is an urgent need.

In District II, there are two options. Option A: Penfield - \$70,000, Ludlow - \$330,000 and Thomasboro \$100,000. Mr. Paul asked if Thomasboro gets the money, will they do the project or will they do something else with the funds. Mr. Evans, Mayor of Thomasboro, stated that the project was committed to prior to ARPA becoming available. Ms. Fortado wanted clarification on if it can be done in the timeline. The answer is yes and they would be able to complete a project this summer. Option B: Penfield - \$70,000, Ludlow - \$370,000 and Triple Fork - \$60,000. Some committee members stated they were more inclined to support Option B.

In District III, Royal - \$200,000, Ogden - \$200,000 and St. Joseph - \$100,000. Ms. Fortado once again stated that we need to know they can get this done in the timeline and that they have rest of the money for these projects.

In District IV, Pesotum Drainage District - \$75,000, Tolono - \$75,000, Ivesdale - \$175,000 and Village of Pesotum - \$175,000. Ms. Fortado stated that \$75,000 on the Tolono project, might not make that much difference. We need to be sure the projects/phases get done.

Mr. Paul asked how the funding goes out. Ms. Kloeppel stated we are writing IGA's for specific projects. She is recommending that it be for a specific task or activity of the project rather than the whole project. It has to be committed and spent within the timeline. Ms. King said Tolono never came back to us for a specific ask.

Discussion continued on the funds and how it is distributed and how, if a project is not completed in the timeline, then we need to ask for funds back and give them back. The IGA's will have to be about a specific project(s) and include if it's not spent, it must be given back.

Ms. Fortado, went back to the Thomasboro project and asked if we have received any information in a paper form on their project. They do have engineering specs and will get something to us.

At this point, the committee took a five-minute break.

When the committee reconvened, a **MOTION** was made by Ms. Fortado to Omnibus a recommendation to the board for Districts 1 through 4 with a District 2A and 2B option. The motion was seconded by

Ms. King. Mr. Esry then stated the information for the motion: In District I – Sangamon Valley Public Water District - \$500,000. In District II – Option A – Penfield - \$70,000, Thomasboro - \$100,000 and Ludlow - \$330,000 or Option 2B – Penfield - \$70,000, Ludlow - \$330,000 and Triple Fork - \$60,000. For District III – Royal - \$200,000, Ogden - \$200,000 and St. Joseph - \$100,000 and District IV – Pesotum Drainage District - \$75,000, Tolono - \$75,000, Ivesdale - \$175,000 and Village of Pesotum - \$175,000.

Ms. Fortado stated she supports the motion with the caveat of supporting option 2B in District II.

Upon voice vote, the **MOTION PASSED** unanimously. These items will not go on the consent agenda.

Items X A. and X N. were then discussed.

MOTION by Ms. Fortado to forward items X.A. and X.N.to the full board for discussion about whether we want to allocate money to them. The motion was seconded by Mr. Stohr.

Mr. Esry stated that he felt these projects would be above and beyond the \$2 million already allocated. We don't want to cut money from any of the other districts to put towards these projects.

Upon voice vote, the **MOTION PASSED** unanimously. These items will not be on the consent agenda.

O. Pollution Control Facility Ordinance

Ms. Monte met with Mr. Stohr and went over his concerns. The fee schedule has been updated to cover consultant costs.

MOTION by Mr. Stohr and seconded by Ms. King to approve the Pollution Control Facility Ordinance. Upon voice vote, the **MOTION PASSED** unanimously.

XI. Other Business

A. Semi-Annual Review of CLOSED Session Minutes

MOTION by Mr. Esry to follow the State's Attorney recommendation to keep the CLOSED Minutes closed. Seconded by Mr. Patterson.

Upon voice vote, the **MOTION CARRIED** unanimously.

B. Monthly Reports

i. January 2022

The January 2022 report was received and placed on file.

XII. Chair's Report

There was no Chair's Report.

XIII. Designation of Items to be Placed on the Consent Agenda

Item X. O., Pollution Control Ordinance, was placed on the Consent Agenda.

XIV. Adjournment

Mr. Thorsland adjourned the meeting at 9:30 p.m.

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