

**MINUTES OF REGULAR MEETING**

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<b>Champaign County Environment &amp; Land Use Committee</b>	<b>DATE:</b>	<b>August 13, 2007</b>
<b>Champaign County Brookens Administrative Center</b>	<b>TIME:</b>	<b>7:00 p.m.</b>
<b>Urbana, IL 61802</b>	<b>PLACE:</b>	<b>Lyle Shields Meeting Room Brookens Administrative Center 1776 E. Washington Street Urbana, IL 61802</b>

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**MEMBERS PRESENT:** Chris Doenitz, Matthew Gladney, Brad Jones, Carrie Melin, Jon Schroeder (VC), Barbara Wysocki (C)

**OTHER COUNTY BOARD MEMBERS**

**PRESENT:** Pius Weibel (County Board Chair)

**MEMBERS ABSENT:** Jan Anderson, Ralph Langenheim, Steve Moser

**STAFF PRESENT:** John Hall, Jamie Hitt, Leroy Holliday, Susan Chavarria (Regional Planning Commission), Susan Monte (Regional Planning Commission), Deb Busey (Champaign County Co-Administrator), Susan McGrath (Assistant State's Attorney)

**OTHERS PRESENT:** Rob Ore, Diane Ore, Robert Myers, Jenny Park, Hal Barnhart, Roger Armstrong, Arna Leavitt, Jason Barickman, Tanna Fruhling, Bruce Knight

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**1. Call to Order, Roll Call**

The meeting was called to order at 7:03 p.m. The roll was called and a quorum declared present.

**2. Approval of Agenda**

**Mr. Schroeder moved, seconded by Mr. Doenitz to approve the agenda as submitted.**

Ms. Wysocki stated that Item #13, Champaign County Land Resource Management Plan Update, will be discussed during Public Participation because no action is required from the Committee at this time. She said that other than this one change the agenda will remain as submitted.

**The motion carried by voice vote.**

1 **3. Approval of Minutes (June 11, 2007)**

2  
3 **Mr. Jones moved, seconded by Mr. Doenitz to approve the June 11, 2007, minutes as submitted. The**  
4 **motion carried by voice vote.**

5  
6 **4. Public Participation**

7  
8 Ms. Susan Chavarria, Community Development Manager at the Regional Planning Commission and the  
9 Project Manager for the Champaign County Land Resource Management Plan stated that currently we are  
10 still in the nomination process for the Land Resource Management Plan Steering Committee. She said that  
11 the deadline for nominations is August 17, 2007. She said that the first Steering Committee meeting is  
12 scheduled for August 30, 2007 at 7:30 a.m. at the First Christian Church on Staley Road in Champaign. She  
13 invited all ELUC members and others to attend as they see fit. She said that “Welcome” packets will be sent  
14 out to all new Steering Committee members as well as ELUC members so that they can see what will be  
15 discussed during the planning process, the calendar for the entire work plan and other things that go along  
16 with the process. She said that currently the Regional Planning Commission is working on data collection  
17 and mapping for the existing conditions and trends section of the planning process and she expects to have a  
18 report on this data by the end of this year. She invited ELUC to contact herself or Ms. Monte any time if  
19 they have any questions or concerns during the planning process.

20  
21 Mr. Doenitz stated that he thought that the nominations for the Steering Committee were due in July.

22  
23 Ms. Chavarria stated that the first round of nominations were due in July but some of the requirements that  
24 were set forth in the original resolution were not completed with those nominations therefore the nomination  
25 process was opened up again.

26  
27 Mr. Doenitz asked who was notified of this situation.

28  
29 Ms. Chavarria stated that opening up the nominations again was decided by the County Board.

30  
31 Mr. Doenitz asked if the County Board voted on this.

32  
33 Ms. Wysocki stated no and asked Mr. Weibel to further explain what took place at the County Board  
34 regarding this issue.

35  
36 Mr. Weibel stated that due to the ratio set forth in the original resolution for the Steering Committee was not  
37 met therefore the Policy Committee decided to reopen the nomination period for fulfillment of that ratio. He  
38 apologized for not notifying the ELUC members of the situation.

39  
40 Mr. Jason Barickman, Attorney for Roger Armstrong and Arna Leavitt stated that Item #9 relates to what  
41 occurred in west Champaign with the Illinois-American Water Company. He said that Illinois American  
42 Water Company purchased a 40 acre tract of land which is located two and one-quarter miles west of the  
43 City of Champaign’s corporate boundary. He said that the when the parcel was purchased the zoning

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1 designation for the parcel was AG-1, Agriculture. He said that the subject property is situated in an  
2 agricultural area and somewhat residential area and what would be the normal process for a zoning change  
3 did not occur. He said that normally the property owner would petition the County for a change in the  
4 zoning designation but in this case the property owner petitioned the City of Champaign. He said that the  
5 City of Champaign did not vote on a zoning amendment for the subject property but did vote for an  
6 annexation agreement which has a provision which would immediately change the current county zoning of  
7 the parcel from AG-1, Agriculture to the City of Champaign's zoning of I-1, Light Industry. He said that  
8 many of the neighbors have objected to the zoning change designation for the subject property with the City  
9 of Champaign's Planning Commission, which ultimately voted in favor of the pre-annexation agreement,  
10 and the City Council, which also voted in favor of the pre-annexation agreement. He said that at this point  
11 Illinois American Water Company has equipment at the site and as of today is probably moving dirt. He  
12 said that the legal authority which allows the City of Champaign to do this is due to a controversial 2005  
13 Supreme Court decision called *The Village of Chatham vs. Sangamon County*. He said that when this  
14 decision was made it probably caused a lot people at other planning departments a lot of unease in that it  
15 seemed to do away with the efforts of planning departments across the state. He said that it seemed to allow  
16 municipalities to enter into annexation agreements and subject non-contiguous parcels of land to the zoning  
17 and building codes of the municipality. He said that the facts of *Chatham* included a parcel of land that was  
18 not contiguous to the Village of Chatham but was within the one-and-one half mile extra territorial  
19 jurisdiction of the Village of Chatham. He said that he and his clients are considering a lawsuit against the  
20 City of Champaign and the reason that they are before ELUC tonight is to request their support in that effort.  
21 He said that if you break down all of the legal issues to this case there is a battle between the county code  
22 and the municipal code and while the property owners are the most specifically effected and if the county  
23 law has been broken it is up to the County to stand up and say that they do not want their codes broken. He  
24 said that with any lawsuit there will be disputes from attorneys on both sides. He said that some attorneys  
25 will tell you that *Chatham* is an open ended decision that does allow these things to occur although he  
26 totally disagrees with that statement. He said that last week he met with Pius Weibel, John Hall and Susan  
27 McGrath and presented their legal theories on why this case is different and it appeared that there was some  
28 surface level agreement. He said that Ms. McGrath is investigating some of the legal issues and will speak  
29 about her opinion on the matter later during this meeting.

30  
31 Mr. Barickman stated that the difference is that *Chatham* deals with property that is within the one-and-one  
32 half mile extra-territorial jurisdiction of the Village of Chatham although in this case, which is why it is so  
33 different, is that the subject property is outside of the City of Champaign's one-and-one half mile extra-  
34 territorial jurisdiction. He said that while the *Chatham* court case stated that the where the county code and  
35 municipal code conflict the municipal code wins but no where in the municipal code does it state that they  
36 have the authority to go beyond their one-and-one half mile jurisdiction. He said that while *Chatham* did  
37 decide that property that is not contiguous may be subject to an annexation agreement it did not state that  
38 municipalities may now go beyond their one-and-one half mile extra-territorial jurisdiction. He said that  
39 this is a question that has not gone before the courts and this is probably the best test case that will be seen  
40 around the state to test that. He said that no one knows what the outcome of the courts will be therefore that  
41 is why we have to go before them to ask. He said that in Rockford and other areas people have gone beyond  
42 the one-and-one half mile jurisdiction and it has been indicated that some people have gone as far as twenty  
43 miles but the thing to remember is that not one of those cases has been tested through the court system.

1  
2 Mr. Barickman stated that even if *Chatham* would allow for something like this to happen another item  
3 which was never asked during that case is whether something like this is simply not spot zoning which as  
4 everyone is aware is illegal. He said that some of the factors that are reviewed during determining whether  
5 or not spot zoning has occurred are whether it seems to be an arbitrary decision made by a government  
6 entity to change the zoning designation, as with the subject property, whether there was no transition from  
7 the more restrictive to less restrictive zoning designation, whether the zoning change was made to an  
8 individual parcel outside of any comprehensive or land use plan that the municipality has undertaken. He  
9 said that all of these factors are true and consistent with the subject property included in their case. He said  
10 that if you look at the City of Champaign's Comprehensive Plan you will notice that they haven't even  
11 planned to go out to the area of the subject property. He said that even if *Chatham* did allow something like  
12 this he believes that this is a good case of spot zoning.

13  
14 Ms. Melin asked if municipalities normally annex parcels that are contiguous.

15  
16 Mr. Barickman stated that in order to annex a parcel of land into the municipality the parcel must be  
17 contiguous. He said that the distinction is whether a pre-annexation agreement is legal. He said that the big  
18 item during *Chatham* was that there can be an agreement that if your property ever becomes contiguous then  
19 the municipality will annex your property in exchange for some service.

20  
21 Mr. Hal Barnhart, who resides at 469 CR 1500N, Champaign addressed Item #9 and Item #10 of the agenda.  
22 He said that he is not in attendance of the meeting to represent the Champaign County Farm Bureau but  
23 would like to share with the Committee one statement from the *2007 Illinois Farm Bureau Policy Manual*  
24 which states the following: "We will oppose non-contiguous annexation agreements and the ability of  
25 municipalities to apply their ordinances to parcels that have not annexed." He commended staff for their  
26 efforts in bringing this issue to light.

27  
28 Mr. Barnhart reviewed Resolution 5942, which was the resolution that passed the County Board in April  
29 2007. He said that the resolution had three parts one was that the legislative commission which was  
30 established at the State level should continue working and should propose a comprehensive amendment to  
31 the Illinois Municipal Code that would ensure a rational and equitable resolution to the issues raised in the  
32 *Chatham* decision. He said that the provisions of House Bill 3597 should apply to all counties that have  
33 adopted a zoning ordinance and House Bill 3597 should include Champaign County on the list of counties to  
34 be exempt. He said that the draft resolution which is before the Committee tonight for recommendation  
35 seems to be a good thing but it is only a start. He said that if this resolution is passed by the County Board  
36 we are still relying on the good will of the municipalities and villages of the county to adopt it also. He said  
37 that if they do adopt it we will probably get back 70% of what was lost but there is still a lot of mischief that  
38 can happen out in that one-and-one half mile area and there are still concerns about who represents the  
39 property owner's interests in a particular zoning case. He said that if the County is no longer able to  
40 represent the property owner's interest and they have no vote in terms of municipal trustee or board  
41 members then they are pretty much out their on their own without a voice.

42  
43 Mr. Bruce Knight, City of Champaign Planning Director, stated that he would like to speak in favor of Item

1 #10. He said that the City of Champaign has always been supportive of inter-governmental agreements and  
2 has boundary agreements with Urbana, Savoy and Mahomet. He said that the City of Champaign currently  
3 has an agreement with Champaign County with regard to development in the County which was enacted  
4 before *Chatham* was an issue therefore including *Chatham* makes sense. He said that the City of  
5 Champaign has an agreement with the Urbana-Champaign Sanitary District that speaks to what happens  
6 when somebody requests connection to a sanitary sewer system and *Chatham* has certainly changed the map  
7 on how development occurs outside of the corporate limits of cities. He said that gaining an understanding  
8 of what is needed in the County is an important thing and warrants ongoing dialogue. He noted that on an  
9 ongoing basis the City of Champaign has no interest in approving development beyond their one-and-one  
10 half mile jurisdiction or beyond what is normally planned for in their comprehensive plan. He said that the  
11 water treatment facility is a unique case that has to do with the sighting of a utility and not a development  
12 project. He said that utilities need to be sighted in a location that makes sense from an engineering and  
13 technical standpoint not for other reasons. He said that this was the case 40 years ago when the Urbana-  
14 Champaign Sanitary District placed the southwest treatment plant miles beyond existing urban development  
15 and eventually the city grew out to it. He said that it did not create an onslaught of slot development around  
16 it or open up all kinds of other development opportunities but only provided for that utility service to an  
17 efficient and effective service over many years when that large of an investment is made.  
18

19 Mr. Knight stated that the Regional Planning Commission has recently asked its staff to work on setting up a  
20 county wide forum to discuss the *Chatham* issue between municipalities and county officials. He said that  
21 this is a very good idea and is a perfect follow on to the proposed resolution because it can be the forum by  
22 which the municipalities and county start to have that conversation. He said that first there needs to be  
23 education as to what *Chatham* actually means, the issues in regards to planning for future development and  
24 delivering services to those developments and what is an appropriate agreement between the county and the  
25 incorporated areas of Champaign County. He said that the City of Champaign is very supportive of the  
26 proposed resolution and he believes that it does make sense for any kind of actual development of property  
27 and if this was in place the County would have had the choice to decide whether it wanted to handle the  
28 sighting of the water treatment facility or not. He said that part of the reason why the City of Champaign  
29 felt that it was appropriate to handle this case was because it is within their boundary line area under their  
30 boundary line agreement with the Village of Mahomet. He said that the agreement between Champaign,  
31 Urbana and Savoy and the Sanitary District allowed Bondville to enter into the sanitary district as a member  
32 and eventually receive treatment services from the sanitary district. He said that they would be limited to a  
33 facility planning area that would be controlled by the sanitary district and so while it is beyond the City of  
34 Champaign's one-and-one half mile jurisdiction it is a project that serves the urban area. He said that the  
35 County does not have a building code at this point and time but the City of Champaign does and it was  
36 determined that regulating the construction of such an important public facility was very important.  
37

38 Mr. Robert Myers, City of Urbana Planning Manager stated that he would also like to speak in favor of an  
39 Intergovernmental Agreement between the municipalities and the County concerning annexation  
40 agreements. He said that at this point the City of Urbana staff has discussed this topic at a staff level and has  
41 determined that they support the resolution. He said that Mayor Prussing has previously indicated her  
42 support for cooperation and agreement between the municipalities and the County about limiting annexation  
43 agreements although this specific resolution has not been reviewed by Mayor Prussing. He said that the

1 City of Urbana has reviewed their own annexation agreements at this point with all of the properties which  
2 have pre-annexation agreements with are either contiguous or within one-quarter of a mile of the City of  
3 Urbana's boundaries. He said that his understanding of the *Chatham* case is that the question is not the  
4 amount of distance but the jurisdiction. He said that the City of Urbana and other municipalities have  
5 instances where the city may have a pre-annexation agreement for a property but the County still has control  
6 of whatever code would apply to the property. He said that the *Chatham* case states that if a property owner  
7 has a pre-annexation agreement with a municipality then the municipality is responsible for all code aspects  
8 for the property. He said that he is not sure if the municipalities want to do the dog catching out to one-and-  
9 one half miles of the city's boundaries or if there is a falling down barn does the city want to have the  
10 responsibility for removal or enforcement of that dangerous structure. He said that it has always been his  
11 understanding that until a property is actually annexed in to the city the property is still under the  
12 jurisdiction of the County.

13  
14 Mr. Doenitz requested that Mr. Knight approach the public participation podium to answer a question  
15 regarding Item #10.

16  
17 Ms. McGrath stated that a motion will be required to request suspension of the rule for discussion of Agenda  
18 Item #10.

19  
20 **Mr. Doenitz moved, seconded by Mr. Schroeder to suspend the rules. The motion carried by voice**  
21 **vote.**

22  
23 Mr. Doenitz asked Mr. Knight why the City of Champaign would not give the County the chance to do the  
24 right thing instead of the City of Champaign doing the "big brother" thing and doing it for us.

25  
26 Mr. Knight stated that there was no intent for the City of Champaign to act like a big brother. He said that  
27 the water company came to the City of Champaign to start discussions and some conversations were held  
28 with the County's staff. He said that at the request of the water company the City of Champaign agreed to  
29 work with them and take their request to their council for a study session to seek direction as to whether to  
30 pursue an annexation agreement or not. He said that the council gave the direction to pursue an annexation  
31 agreement and from the standpoint of the City of Champaign, a determination had to be made whether the  
32 treatment facility needed to be located near the well field. He said that there was certainly disagreement on  
33 that issue but ultimately the plan commission and council felt that the company had demonstrated that it was  
34 important for the facility to be located near the well field.

35  
36 Mr. Doenitz stated that his issue is with the procedures which were followed for this facility not its location.

37  
38 Mr. Knight stated that if Mr. Doenitz's issue is with the procedures that were followed then he should be  
39 supportive of an intergovernmental agreement to set up an understanding between municipalities and the  
40 County with regard to the use of *Chatham* because currently the understanding is that there is no limit on  
41 that.

42  
43 Mr. Doenitz stated that he does not disagree but he believes that Mr. Knight is talking out of both corners of

1 his mouth.

2  
3 Mr. Knight stated that he is only trying to answer his question in the best way that he can. He said that,  
4 based on a memoranda from the State's Attorney's Office, the point of fact is that there is no current  
5 limitation as far as the City of Champaign's legal staff is concerned in understanding the City of  
6 Champaign's relationship with the County. He said that the water company, a facility which is very  
7 important to the city for public services, came to the City of Champaign and asked that the city work with  
8 them with an annexation agreement and the city council instructed staff to do so. He said that without some  
9 limitation other than that it was felt that such an agreement would be appropriate.

10  
11 Mr. Doenitz stated that the roads are under the jurisdiction of Scott Township. He asked if the water  
12 company has contacted Scott Township about any proposals in alleviating any problems that may occur with  
13 the roads.

14  
15 Mr. Knight stated that the water company will pay taxes to the township until such time that the property is  
16 annexed into the City of Champaign and for 10 years thereafter the City of Champaign will reimburse that  
17 level of township tax. He said that this is a significant increase in their overall EAV once the facility is up  
18 and running which should cover the expense of road improvements.

19  
20 Mr. Weibel stated that he too is concerned about the steps that were taken for this facility and feels that it  
21 was very self-serving.

22  
23 Mr. Schroeder stated that he and Mr. Moser attended the City of Champaign's Council meeting and gave  
24 testimony. He said that what was missed was the frustration of Scott Township with lack of representation  
25 from the city council. He said that the City of Champaign resides in the County of Champaign but the City  
26 of Champaign does not reside out in the County. He said that when the City of Champaign decided to spot  
27 zone, and this is a spot zoning case, in an agricultural district outside of the City of Champaign's ETJ and  
28 designate that area as industrial with 5 ton oil and chip roads. He said that an unknown amount of 40 ton  
29 trucks will be brought in each day potentially breaking down existing farm tiles that are under the roads or  
30 adjacent fields where there are sensitive areas is a concern. He said that there is no representation or  
31 repercussion for a city council until the facility exists and is annexed and this will not take long. He said  
32 that before North Prospect Avenue was developed he was on the Zoning Board of Appeals and this  
33 development was brought before the County ZBA. He said that this development was before the County  
34 had a Stormwater Management Policy but there was a pre-annexation agreement with the City of  
35 Champaign and the hearing process was completed granting the request. He said that one of the engineers  
36 that came to the meeting stated that since the area was poorly drained they were going to divert the water  
37 into a drainage ditch and when they got to Olympia Drive they would cross to the northeast to the railroad  
38 ditch. He said that although this all sounded good the diversion never took place and what did happen the  
39 water was pulled from lift stations and pumped to the big ditches along Prospect Avenue and Mr. Kesler's  
40 field became drenched. He said that there is a big disconnect between urban planning and what goes on out  
41 in the rural areas and when the Director of Planning states that it is not a big deal because there is a lot of  
42 agricultural equipment that moves up and down the roads daily he is incorrect. He said that a 20 ton vehicle  
43 is outside the scope of reality in physics out there because these people who own these one-half ton vehicles

1 are a target. He said that people do not realize that they are outweighed by ten or twenty tons when they  
2 travel on these rural roads as if they were major highways. He said that larger and larger agricultural  
3 equipment does exist on these rural roads but the daily beating of those 40 ton trucks has a real impact on  
4 the those rural roads. He said that he told the Scott Township Road Commissioner that he should hand the  
5 water company a bill with a 40 ton limit on those roads because the revenue that the township is going to get  
6 is not going to be comparable to build those roads up and maintain those roads. He said that the City of  
7 Champaign is going to continue growing to the southwest and it is obvious that the new Curtis Road exit is  
8 going to open things up and it is a concern as to what type of development will occur around that area. He  
9 said that *Chatham* has opened up the door and it has been mentioned that Tolono and Savoy are going to  
10 jump in to the one-and-one-half mile. He said that Champaign County is trying to put together a  
11 comprehensive land use plan and there is no way that Champaign County will have a comprehensive land  
12 use plan like McLean County because there is no cooperation. He said that the County has nothing in the  
13 Ordinance to force the water company to install any type of vegetative buffers although the special use  
14 process could require that they install buffers. He said that he appreciated Mr. Knight's presence at  
15 tonight's meeting and that he allowed everyone to throw bricks at him but there is a real disconnect in  
16 Champaign County in that it is not a unified county that tries to be a county that plans together. He said that  
17 he believes that it all begins at the Regional Planning Commission where we have lost our focus and what  
18 the original charter is for the RPC which is for regional planning in the county and it isn't for that anymore  
19 and the RPC has changed into something else and that really bothers him.

20  
21 Mr. Knight stated that he appreciates Mr. Schroeder's concerns and he understands the frustration but he can  
22 only say that the City of Champaign has worked cooperatively with the County in most every case. He said  
23 that there is a current intergovernmental agreement in place which deals with development as well as with  
24 roads. He said that the City of Champaign is extremely supportive of the Champaign County Land Resource  
25 Management Plan and the City of Champaign is also in the process of updating their comprehensive land  
26 use plan. He said that their comprehensive plan is updated every five years and when they do this county  
27 officials are included on steering committees and focus groups because it is understood that there is an  
28 important relationship between the two government bodies. He said that he understands that there is  
29 confusion as to why the City of Champaign supports the proposed intergovernmental agreement when the  
30 City of Champaign has taken action different than that before. He said that the action that was taken before  
31 was consistent with both their intergovernmental agreement as well as with the County Policy as stated by  
32 the State's Attorney's Office with the use of *Chatham* in Champaign County. He said that this is a helpful  
33 thing and it will improve the City's and County's relationship and continue to be the kind of cooperation  
34 that they have had historically.

35  
36 Mr. Robert Ore, who resides at 2508 Bedford Drive, Champaign stated that he lives in the Windsor Park  
37 area which is located between the City of Champaign and Savoy. He said that he would like to speak in  
38 favor of the County enforcing landscape burning regulations for unincorporated areas. He said that there are  
39 a number of people in their neighborhood that the burning adversely affects their health and having looked  
40 at what the State of Illinois law actually states it is clear that none of these laws are being enforced because  
41 one of the regulations is that no burning is to occur in the street and many of these people burn in the public  
42 street and people are not to burn on windy days and that is not observed nor enforced. He said that there has  
43 been many times when smoke obscures Windsor Road and this road is located within the city of limits of the

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1 City of Champaign where no burning is allowed. He urged the Board to help with the enforcement of the  
2 regulations.

3  
4 **5. Correspondence**

5 **A. Mahomet Aquifer Consortium e-mail dated August 4, 2007, regarding field trip**  
6 **reservations for August 15, 2007, 9:00 to 11:30 p.m.**

7  
8 Ms. McGrath cautioned the Committee on the number of ELUC members that attend the field trip and  
9 suggested that perhaps a portion attend the morning and afternoon sessions so that the Open Meetings Act is  
10 not an issue.

11  
12 **The Committee accepted and placed on file the correspondence from the Mahomet Aquifer**  
13 **Consortium e-mail dated August 4, 2007.**

14  
15 **6. Recreation and Entertainment License: Lake of the Woods Bar and Grill, 204 S. Prairie View**  
16 **Road, Mahomet, IL, August 14, 2007 thru December 31, 2007.**

17  
18 **Mr. Doenitz moved, seconded by Mr. Schroeder to approve the Recreation and Entertainment**  
19 **License for Lake of the Woods Bar and Grill, 204 S. Prairie View Road, Mahomet, IL, August 14,**  
20 **2007 thru December 31, 2007. The motion carried by voice vote.**

21  
22 **7. Zoning Case 555-AM-06: Petitioner: James T. Battle. Request to amend the Zoning Map to**  
23 **change the zoning district designation from the B-3, Highway Business Zoning District to the**  
24 **B-4, General Business Zoning District. Location: A 5.0 acre tract located in the Northeast ¼**  
25 **of the Northeast ¼ of Section 24 of Hensley Township and commonly known as the field north**  
26 **of the I-57 interchange in Section 24 of Hensley Township.**

27  
28 **Mr. Schroeder moved, seconded by Mr. Doenitz to recommend approval of Zoning Case 555-AM-06,**  
29 **James T. Battle with special conditions.**

30  
31 Mr. Hall stated that the Zoning Board of Appeals voted to recommend approval subject to conditions for this  
32 case at their July 19, 2007, meeting. The proposed rezoning is within Hensley Township. The township has  
33 considered this case and sent a letter to the ZBA indicating they would protest the rezoning, no formal  
34 protest has yet been received but it is expected that receipt of that protest will be before this case goes before  
35 the County Board.

36  
37 Mr. Weibel asked Mr. Hall if the protest is received prior to the County Board meeting what effect will it  
38 have on tonight's action by this Committee.

39  
40 Mr. Hall stated that the protest will not necessarily have any effect on tonight's action and it only affects a  
41 vote by the County Board in that it will require a super-majority vote.

42  
43 Mr. Schroeder asked Mr. Hall how many lots in this area were zoned B-4, General Business Zoning District.

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Mr. Hall stated that there are none.

**The motion carried by voice vote.**

**8. Revisions to County’s Nuisance Ordinance:**

**A. Proposal to require marking of telephone pedestals in rural areas**

Mr. Hall stated that his latest understanding from the State’s Attorney’s Office is that there is no authority to requiring the marking of telephone pedestals.

Ms. McGrath stated that upon the request of this Committee she did investigate the question to see if the County had any authority to regulate the marking or maintenance of telephone pedestals in the County. She said there is an Attorney General’s opinion that was written in 1994 that basically states that telephone equipment of any kind, including pedestals, are not subject to regulations by the County but are subject to the regulations of the Interstate Commerce Commission. She said that there is no language in the regulations of the Interstate Commerce Commission that says anything about the marking of the pedestals. She said that up until five years ago there used to be language in the ICC’s regulations but unfortunately that language has mysteriously vanished. She said that unfortunately there is nothing that the Commerce can do to regulate that issue and the only thing that the County could do would be to file something with the ICC to bring this question to their attention.

Ms. Wysocki stated that basically there is nothing that the County can do in relation to this subject.

Ms. McGrath stated no, unless the County wants to bring the question to the Commerce Commission.

Mr. Schroeder asked Ms. McGrath what would bring this question to the attention of the Interstate Commerce Commission entail.

Ms. McGrath stated that it would not be complicated but there is a method by which the County can ask the ICC to change regulations regarding the pedestals. She said that there is nothing in the regulations that says that the County can do that but she believes that it can be done by a petition to the Commission.

Mr. Schroeder asked Ms. McGrath if a letter from Champaign County requesting action for the pedestal issue would be appropriate.

Ms. McGrath stated that a letter would be a good start. She said that it would probably be better if it came to the ICC by a resolution.

**Mr. Schroeder moved, seconded by Mr. Doenitz to direct staff to develop a communication with the ICC regarding the marking of telephone pedestals. The motion carried by voice vote.**

**B. County obligation to enforce burning regulations in unincorporated areas**

1  
2  
3 Mr. Hall stated that there have been a number of previous requests regarding the County's burning  
4 regulations and to date, based on the hesitancy of adding new regulations when staff is having trouble  
5 enforcing all of the current regulations, the County Board has not decided to adopt burning regulations. He  
6 said that recently Jamie Hitt, Zoning Officer received a letter from Darwin Fields, Environmental Protection  
7 Engineer, Bureau of Air, making us aware that we are obligated to enforce some burning regulations that are  
8 already under State law. He said that at the same time that Mr. Fields made staff aware that we are obligated  
9 to enforce some burning regulations he also made staff aware that we are not obligated to enforce landscape  
10 waste burning regulations, this is optional. He said that the obligation to enforce burning regulations only  
11 applies to a one mile area around municipalities. He said that the letter from the EPA was received in May  
12 2007 and then just after the June ELUC meeting he received an inquiry from Mr. and Mrs. Ore and they  
13 requested that the County adopt burning regulations. He said that the Draft Amendment to the Champaign  
14 County Nuisance Ordinance, which was included in the mailing packet, is not ready to be adopted and is  
15 only preliminary. He said that the amendment would adopt all of the burning regulations that the County is  
16 empowered to adopt which would include the following: domicile waste within the one mile area around  
17 municipalities as well as landscape waste within 1000 feet around municipalities. He noted that the County  
18 is not obligated to adopt the landscape waste burning although he believes that the burning of landscape  
19 waste has been the topic of many of the requests made to this Committee. He said that this burning  
20 regulation will not have any effect on the burning of anything that is more than one mile from  
21 municipalities. He said that he would not recommend that the Committee take any action on this issue  
22 tonight. He said that he has reviewed this issue with the State's Attorney's Office and in order to enforce  
23 the regulations that we are obligated to enforce it would be much better to have our own ordinance to  
24 implement that enforcement.

25  
26 Mr. Doenitz asked Mr. Hall if the enforcement would be one mile from the actual boundaries of the  
27 municipality or the municipality's ETJ.

28  
29 Mr. Hall stated that the enforcement would be one mile from the actual boundary.

30  
31 Mr. Doenitz asked Mr. Hall who would do the enforcement because the County cannot take care of the  
32 enforcement that we currently have.

33  
34 Mr. Hall stated that to date we have had trouble keeping up with all of the enforcement in the County but  
35 there have been changes made in the office and hopefully those changes will help staff do a better job. He  
36 said enforcement is always going to be a big issue and if the County chooses to adopt burning regulations in  
37 regard to landscape waste it will probably only be a big deal during the fall season. He said that it might  
38 merit a higher priority than it would otherwise but on the priority schedule that was adopted in the past in  
39 regards to enforcement if something was posing a risk to public, health or safety it receives a high priority.  
40 He said that clearly the burning of landscape waste or domicile waste, if you are the neighbor that it affects,  
41 is a big issue and the County is obligated to enforce it.

42  
43 Mr. Doenitz asked if the fire protection district has an ordinance regarding such burning.

1  
2 Mr. Hall stated that he does not know if most of the fire protection districts have an ordinance regarding the  
3 burning of landscape or domicile waste. He said that the draft would actually enforce any rules that the fire  
4 protection districts already have and the property owner would have to be in conformance with their local  
5 fire district or they would be in violation of the draft ordinance. He said that even if the fire protection  
6 districts had their own regulations the County is still obligated to enforce the State rules. He said that he  
7 does not know if the County could get fined from the EPA.  
8  
9 Ms. McGrath said that it could.  
10  
11 Mr. Weibel asked if domicile waste would include newspapers, cardboard, etc.  
12  
13 Mr. Hall stated that domicile waste is meant to be anything other than food related waste.  
14  
15 Mr. Weibel asked if this ordinance would only affect the unincorporated areas of Champaign County.  
16  
17 Mr. Hall stated yes.  
18  
19 Mr. Weibel asked if there is a complaint on the weekends then they should call the local authority such as  
20 the Sheriff.  
21  
22 Mr. Hall stated yes, the County's Nuisance Regulations are enforceable by the Sheriff's office. He said that  
23 the Planning and Zoning office is not open on weekends but the Sheriff's office is available 24 hours a day  
24 and 7 days per week.  
25  
26 Ms. McGrath stated that the Sheriff's office can take the complaint while it is occurring but the problem that  
27 the Sheriff's office has is that they do not have the authority to enforce the burning ordinance. She said that  
28 even though the State regulation has been in effect since 1993, the County has not done anything to  
29 incorporate it into our Ordinance. She said that the EPA has been working with the County to have it  
30 incorporated into our Nuisance Ordinance but the language in the State Statute that talks about open burning  
31 is mandatory and the County does not have a choice whether to enforce it or not. She said that when she and  
32 Mr. Hall discussed this issue they wanted to make sure that it would not have an adverse impact on burning  
33 in areas where it could occur and Items #(4), (5), (6) and (7) of Page 71 of the mailing packet indicates those  
34 areas. She said that from the Sheriff's point of view the amendment to the Nuisance Ordinance will be  
35 helpful in that it will make it clear as to what they are suppose to do when they receive these complaints.  
36  
37 Ms. Hitt asked Ms. McGrath if it is true that the Sheriff's office could issue a ticket or notice to appear to the  
38 violator.  
39  
40 Ms. McGrath stated yes.  
41  
42 Ms. Hitt stated that she will be the one to investigate the violation and she has no authority to give the  
43 violator a ticket or notice. She said that the Sheriff's visit will be more effective than her visit and she can

1 only investigate a complaint if it occurs Monday thru Friday, 8:00 A.M. to 4:30 P.M.

2  
3 Ms. McGrath stated that currently if there was a case of illegal dumping the Sheriff would go out and take  
4 the report and issue a ticket for violation of the Ordinance and the burning violation would just be an  
5 additional component to that process.

6  
7 Mr. Doenitz stated that we can't get the Sheriff's office to tow cars that are parked in a lane of traffic  
8 therefore do you really think that we are going to get them to write tickets for a fire.

9  
10 Ms. McGrath stated that she cannot say anything about the towing issue but in other aspects of the Nuisance  
11 Ordinance she can say that the Sheriff's office has been really good about dumping and other issues that  
12 people have complained about. She said that she has worked with Lieutenant Jones at the Sheriff's office in  
13 designing the ticket so that it would make it much easier for the deputy on call to write the ticket for the  
14 violation.

15  
16 Mr. Jones asked if the smaller villages have burning requirements. He said that he does not want to have a  
17 situation where people in the city can burn and people outside the city or village limits cannot burn.

18  
19 Mr. Hall stated that the regulations regarding domicile waste already apply in the municipal areas. He said  
20 that he has not had a chance to contact each municipality but he does know that Champaign, Urbana and St.  
21 Joseph do not allow the burning of landscape waste.

22  
23 Mr. Schroeder stated that if Ms. Hitt cannot enforce this stuff then there needs to be some type of provision  
24 where she can enforce it with a ticket or not or put all of this on the Sheriff's office.

25  
26 Ms. McGrath stated that traditionally it has been up to the Sheriff's office to write the ticket and then us to  
27 do the enforcement. She said that there are no administrative rules adopted to allow Ms. Hitt or someone  
28 else in the Zoning Office to issue a ticket for enforcement. She said that if the County desires to adopt an  
29 administrative rule which allows Ms. Hitt or someone else in the Zoning Office the ability to issue tickets  
30 for enforcement of the burning regulations then there must be some type of administrative method for  
31 appeal.

32  
33 Mr. Schroeder stated that if the County does pass some type of burning ordinance there has to be some way  
34 to notify people who reside within one mile of the city limits of what is going on. He said that he does know  
35 that people in Sadorus and Ivesdale can burn but the fire protection district does require that any outside  
36 burning must be reported to the fire protection district prior to the event. He said that he does not feel that it  
37 is fair for Champaign and Urbana to have ordinances on burning yet you can go outside of the city limits and  
38 burn.

39  
40 Mr. Weibel asked if there was a penalty for burning.

41  
42 Ms. McGrath stated that there is a maximum of \$500 per day with a minimum of \$100 per day.

1 Mr. Hall stated that the proposed Draft Ordinance would only prohibit the burning of landscape waste within  
2 1000 feet of a municipality that has that prohibition. He said that it very important that the County knows  
3 which municipalities and villages have such a prohibition.

4  
5 Ms. Hitt stated that the irony of all of this is that there a couple of villages that have adopted burning bans  
6 but they will pick up your landscape waste and take it outside the city limits to burn.

7  
8 Mr. Schroeder stated that if we adopt this as County are we doing the EPA’s job in regard to burning.

9  
10 Ms. McGrath stated that even though the EPA has jurisdictional authority it is up to the County to enforce  
11 the regulations.

12  
13 Ms. Melin asked what type of procedure would be used for public announcement of this prohibition.

14  
15 Mr. Hall stated that a legal advertisement could be placed in the newspaper. He said that an easier way, if  
16 the budget allows, would be for the County to advertise a public announcement in all of the local papers. He  
17 said that perhaps there could be a special enforcement period where we just notify people that it is a  
18 violation.

19  
20 Ms. McGrath stated that a special enforcement period cannot happen. She said that a press release could be  
21 sent out and notice could be placed on the County’s website.

22  
23 Mr. Hall stated that a press release draft could be available at the September meeting for ELUC’s review.

24  
25 **Item #8.B was deferred to the September 10, 2007, ELUC meeting.**

26  
27 **C. Other potential changes**

28  
29 Ms. McGrath stated that a comprehensive rewrite of the entire Nuisance Ordinance is being considered  
30 because the Nuisance Ordinance has not been rewritten, other than some small changes, since 2002. She  
31 said that there are some areas where the County continuously receives complaints on such as burning and  
32 noise. She said that probably the entire Nuisance Ordinance will come before the Committee in October so  
33 that discussion can take place as to what areas need revision.

34  
35 **Item #8.C was deferred to the October 9, 2007, ELUC meeting.**

36  
37 **9. City of Champaign annexation agreement with Illinois-American Water Company for a**  
38 **proposed water treatment plant in Section 1 of Scott Township and potential role of**  
39 **Champaign County in litigation involving annexation agreement.**

40  
41 Ms. McGrath stated that she requested that this item be placed on the agenda because several of the  
42 Committee members have expressed interest in figuring out what goals that the County might have not only  
43 responding to what happen in this particular issue but also to see what the Committee’s feelings are about

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1 potential involvement in litigation that might be possible for Champaign County. She said that nothing has  
2 been filed yet but if a lawsuit was filed the County could ask the court to hear the County's side of how the  
3 issue should be resolved. She said that the County could also decide to wait until the litigation is filed  
4 because there could be a request made to the court to require that the County be involved in the law suit.  
5 She said that currently she has not formed an opinion on what she thinks the County Board should do and  
6 how the *Chatham* case affects this particular parcel and is not convinced one way or the other because it  
7 does not appear as clean cut as Mr. Knight has indicated. She said that as usual there are times when the  
8 Supreme Court makes a decision and it leaves it up to us to deal with and it may be that this pending case  
9 could clarify the law. She said that she would like to know what questions the Committee has regarding this  
10 pending case so that while she is doing her research she can find the appropriate information to best answer  
11 those questions.

12  
13 Mr. Doenitz asked Mr. Knight if the appropriate information for Ms. McGrath to base her decision is  
14 forthcoming.

15  
16 Mr. Knight stated that the information is forthcoming.

17  
18 Ms. Wysocki asked Ms. McGrath if she will have enough information to give direction to the Committee  
19 and the County Board.

20  
21 Ms. McGrath stated yes.

22  
23 **Item #9 was deferred to the September 10, 2007, ELUC meeting.**

24  
25 **10. Proposed Intergovernmental Agreement regarding development pursuant to municipal**  
26 **annexation agreement that is more than one-and-one half miles from the municipality.**

27  
28 **Mr. Schroeder moved, seconded by Mr. Doenitz to recommend approval of the Proposed**  
29 **Intergovernmental Agreement regarding development pursuant to municipal annexation agreement**  
30 **that is more than one-and-one half miles from the municipality.**

31  
32 Mr. Schroeder asked Ms. McGrath how binding would this agreement be.

33  
34 Ms. McGrath stated that if the City of Champaign decides that they do not wish to endorse this agreement  
35 then there is no way that the County can make them do so. She said that she believes that the City of  
36 Champaign and the City of Urbana do have good intentions or they would not have sent staff to this  
37 meeting.

38  
39 Mr. Schroeder stated that the City of Urbana has been excellent in development within their ETJ because it  
40 has been contiguous, compact and flows nicely. He asked Ms. McGrath how many other municipalities are  
41 on board with this agreement.

42  
43 Mr. DiNovo stated that when this was discussed at the Regional Planning Commission elected officials there

1 was disagreement and there were clearly different points for view from one of the members. He said that the  
2 representative from Rantoul seemed to be very protective of their economy.

3  
4 Mr. Schroeder stated that the can of worms has been opened. He said that he intends to attend the next  
5 Tolono Village Board meeting to speak about the *Chatham* case because once again it is a case where there  
6 will be no representation in areas with high density and no utilities. He said that the County Board has been  
7 trying to strangle some of the density in the rural areas.

8  
9 Mr. DiNovo stated that if the *Chatham* case is reviewed it only looked on zoning for building lots but if you  
10 look at the municipal code there is nothing that would indicate that this authority is limited to building lots.  
11 He said that when someone signs an annexation agreement the municipality takes complete responsibility  
12 for the property and one of the big problems is enforcement of that municipality's Ordinances for  
13 compliance. He said that the municipalities have to be educated on what types of responsibilities they are  
14 taking on when the sign these annexation agreements.

15  
16 Ms. Wysocki asked Mr. DiNovo if there was a possibility that the RPC will hold a meeting to gather all of  
17 the municipal officials to discuss *Chatham*.

18  
19 Mr. DiNovo stated that hopefully such a meeting will be organized and noticed in September.

20  
21 Ms. Wysocki asked if there was a benefit for the Committee to consider a resolution to this effect until some  
22 of this dialogue has happened or if the resolution is recommended for approval is the Committee going to  
23 only receive positive and negative comment. She asked if there would be a benefit to consider the timing of  
24 the Committee's recommendation.

25  
26 Mr. Hall stated that knowing that the County is seeking such an agreement would add focus to the RPC  
27 forum on *Chatham* and without this agreement it seems that the forum would not be so urgent.

28  
29 Ms. Wysocki stated that we are looking to have the County Board adopt this agreement which would then be  
30 forwarded to the other municipalities for similar adoption.

31  
32 Mr. Hall stated that this resolution would direct staff to prepare a specific agreement for the Committee's  
33 review. He said that this just gets the ball rolling and without this staff doesn't have a cause to get together  
34 to even develop a draft agreement.

35  
36 Mr. Weibel stated that it isn't known what all needs to be included in the final version of this agreement.

37  
38 Mr. DiNovo stated except that the resolution would give marching orders to staff. He said that the language  
39 needs to be looked at carefully because this amounts to the County's bargaining position and the County will  
40 not get anything better than what is put into the resolution. He said that the County wants to be sure that  
41 whatever is placed on the table is not the least thing that the County would be comfortable in accepting.

42  
43 Ms. McGrath stated that the resolution is only a draft version and not a final version.

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Ms. Busey stated that at the RPC meeting it was determined that the RPC would facilitate a discussion on this issue with all of the municipalities of the County. She said that at some point in the near future the meeting would work on some consensus on what direction all the entities would like to see in regards to this issue. She asked why the County is jumping out ahead before this discussion has taken place.

Mr. DiNovo stated that it is staff's understanding that the Commission's direction was that there will be a forum that is not focused on negotiating a countywide agreement but to get the discussion going.

Ms. Busey asked Mr. DiNovo if the County would not want to wait until that discussion took place before the County moves forward on this issue.

Ms. Wysocki stated that she attended the same RPC meeting and she was under the same impression as Ms. Busey in that the discussions would come first and from that the resolution would be drafted and the Committee would receive some direction from staff as to how to move forward with the idea that all of the municipalities would sign off on it.

Mr. DiNovo stated that it could be helpful if the County took some sort of action on this issue it would capture the attention of the municipalities and perhaps gain more participation in this forum. He said that he would urge the Committee to be more open ended about the contents because the resolution is very specific.

Mr. Hall stated that this gives the County the chance to be perfectly clear about what they do not want to see happening in the County. He said that if the County does not adopt such a resolution he has nothing to give the next person that calls and asks about the County Board's position on an issue like this. He said that he would hope that a final agreement would do more than what the draft resolution proposes and he would appreciate some help revising it so that it doesn't appear that it answers all of the questions because it surely does not. He said that he cannot see the harm in having something on record, officially adopted by the County Board that makes everyone aware that the County Board is hoping to have some kind of agreement in place sometime. He noted that this is not the agreement it only states that the County is going to work towards it.

Mr. Doenitz stated that this agreement will not be worth the paper that it is written on because there are no repercussions if one of the municipalities signs this agreement but does not adhere to it.

Ms. Wysocki stated that this is the nature of intergovernmental agreements because they are all based upon the good will of all of the entities.

Mr. Doenitz stated that the bull is already out the gate and the County is trying to shut the gate.

Ms. Melin stated that in April it was discussed that the County wanted to assist with a bill including Champaign County.

Mr. Hall stated that the senator who was involved indicated that he had another bill developing that could

1 include Champaign County but it is unknown when that process will start.

2  
3 Ms. McGrath stated that with the budget not being settled to date it is hard to say when anything will take  
4 place.

5  
6 Mr. Weibel asked if it would be appropriate to promote such an agreement between municipalities that are  
7 close together.

8  
9 Mr. Hall stated that the final agreement would have to address things like that.

10  
11 Mr. Knight stated that he agrees that ultimately whatever agreement is structured between the municipalities  
12 and the County should encourage boundary agreements. He said that boundary agreements are extremely  
13 healthy and lead to good relationships between the adjoining municipalities and the communities should be  
14 encouraged to have comprehensive plans which would require leading by example by having its plan  
15 completed. He said that he wouldn't disagree that the one-and-one half mile ETJ is a random number and is  
16 not necessary the final answer therefore praising your resolution to indicate the kind of outcomes that the  
17 County wants to promote such as: better planning, boundary agreements between the communities and  
18 logical placement of development through the use of the *Chatham* power is maybe a better approach. He  
19 said that his understanding is that intergovernmental agreements, depending on how they are written, are  
20 binding and there is recourse to them. He said that the City of Champaign's intergovernmental agreements  
21 require both parties to be in agreement prior to being able to end the agreement and it is probably not a  
22 perfect solution but relying on Illinois legislation, given the track record, is also less than perfect as well.  
23 He said that passing a resolution, perhaps not exactly worded like the one presented at tonight's meeting,  
24 promotes agreements between the municipalities and the County as a basis for starting the dialogue is a good  
25 way to give focus to the forums that the Regional Planning Commission has suggested.

26  
27 Ms. Wysocki asked the Committee if they desired to send the resolution back to staff for revision.

28  
29 **Mr. Doenitz moved, seconded by Mr. Gladney to defer Item #10 to the September 10, 2007, ELUC**  
30 **meeting.**

31  
32 Mr. Schroeder asked staff if they had enough direction.

33  
34 Mr. Hall stated yes.

35  
36 **The motion carried by voice vote.**

37  
38 **11. City of Champaign Request for increased County Contribution to Offset Cost of Drop-Off**  
39 **Recycling Site**

40  
41 Mr. Doenitz asked why this agenda item came to two committees. He said that this agenda item was just  
42 before the Finance Committee.

43

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1 Ms. Busey stated normally ELUC has oversight on this issue but because it will be included in the Fiscal  
2 2008 budget it had to be presented to the Finance Committee.

3  
4 Mr. Doenitz asked if the information that was requested at the Finance Committee meeting is now available  
5 for review.

6  
7 Ms. Busey stated no. She said that because we do not have all of the answers to date the Committee could  
8 defer this agenda item to the September 10, 2007, ELUC meeting.

9  
10 **Mr. Schroeder moved, seconded by Mr. Jones to defer Item #11 to the September 10, 2007, ELUC**  
11 **meeting.**

12  
13 Mr. Schroeder stated that the letter from the City of Champaign indicates the cost of the County's share for  
14 the recycling site. He said that this figure is asinine and we should not pay the reported amount because  
15 they are going purely on the population of the County figuring 18%. He said that he doesn't even know  
16 where the drop-off site is located in Champaign.

17  
18 Mr. Weibel stated that he lives in Champaign and he does use the drop-off site.

19  
20 Mr. DiNovo stated that he lives in the unincorporated area of St. Joseph Township and he is already paying  
21 taxes to help support the St. Joseph drop-off site therefore why does the City of Champaign want a  
22 contribution from him for their drop-off site.

23  
24 Ms. Melin stated that she has a friend in Monticello who utilizes the City of Champaign drop-off site.

25  
26 **The motion carried by voice vote.**

27  
28 **12. Resolution Adopting the Champaign County Solid Waste Management Plan 5-Year Update**

29  
30 Ms. Monte stated that in 1991, the Champaign County Board adopted a *Champaign County Solid Waste*  
31 *Management Plan* and the plan is updated every five years. She said that this is the last five year update that  
32 is required by the State and the update carries forward the 2002 recommendation with the addition of one  
33 recommendation to encourage improved countywide monitoring, collection and reporting of recycling rates.

34 She said that the County Board has reviewed and adopted the two previous five-year updates to the  
35 *Champaign County Solid Waste Management Plan* in 1996 and 2002 and the resolution presented for the  
36 Committee's consideration incorporates and adopts the third required five-year 2007 Update to the plan.

37  
38 **Ms. Melin moved, seconded by Mr. Schroeder to recommend approval of the Resolution Adopting the**  
39 **Champaign County Solid Waste Management Plan 5-year Update.**

40  
41 **The motion carried by voice vote.**

42  
43 **13. Champaign County Land Resource Management Plan Update**

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**Discussion occurred during Agenda Item #4, Public Participation.**

**14. Update on Enforcement Cases**

Mr. Hall stated that time has not allowed for the update on enforcement cases to be completed.

**15. Monthly Report (May, June and July, 2007)**

Mr. Hall stated that time has also not allowed for the May, June and July, 2007, Monthly Reports to be completed. He said that our office is being relocated to a different location in the building and it is difficult to complete these reports during this relocation. He said that the Planning and Zoning Office is anticipated to be moved next Thursday to its new location.

**16. Other Business**

**There was no new business to discuss.**

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

**The consensus of the Committee was to place Item #12 on the County Board Consent Agenda**

**18. Adjournment**

**Mr. Doenitz moved, seconded by Mr. Jones to adjourn the August 13, 2007, ELUC meeting. The motion carried by voice vote.**

**The meeting was adjourned at 9:03 p.m.**

Respectfully submitted,

Secretary to the Environment and Land Use Committee