

MINUTES OF REGULAR MEETING

Champaign County Environment & Land Use Committee	DATE:	October 9, 2007
Champaign County Brookens Administrative Center	TIME:	7:00 p.m.
Urbana, IL 61802	PLACE:	Lyle Shields Meeting Room Brookens Administrative Center 1776 E. Washington Street Urbana, IL 61802

MEMBERS PRESENT: Jan Anderson, Chris Doenitz, Matthew Gladney, Brad Jones, Ralph Langenheim, Steve Moser, Carrie Melin, Barbara Wysocki (C)

**OTHER COUNTY
BOARD MEMBERS**

PRESENT: Pius Weibel (County Board Chair)

MEMBERS ABSENT: Jon Schroeder (VC)

STAFF PRESENT: Lori Busboom, John Hall, Susan Chavarria (Regional Planning Commission), Susan Monte (Regional Planning Commission), Susan McGrath (Senior Assistant State's Attorney), Rita Morocoima-Black (Regional Planning Commission)

OTHERS PRESENT: Hal Barnhart, Diane Ore, Thomas Kovacs, Barney Bryson, Brad Uken

1. Call to Order, Roll Call

The meeting was called to order at 7:00 p.m. The roll was called and a quorum declared present.

2. Approval of Agenda

Mr. Langenheim moved, seconded by Ms. Anderson to approve the agenda as submitted. The motion carried by voice vote.

3. Approval of Minutes

None

4. Public Participation

1 Ms. Diane Ore, who resides at 2508 Bedford Dr, Champaign stated that she would like to address the
2 proposed burning regulations. She said that she is a resident of Windsor Park Subdivision and her
3 neighborhood has approximately 162 homes which are situated between Champaign and Savoy. She said
4 that all of the homes except for the south side of Parkland Drive, which is the southern border of a
5 neighborhood, are within 1000 feet of the municipality of Champaign. She said that she has been on the
6 Windsor Park Homeowner's Association for the past two years as secretary and continue this year as a
7 member at large. She said that she and Tom Kovacs are attending tonight's meeting representing most of
8 their neighborhood for people who feel that leaf and yard waste burning is detrimental to them. She said
9 that their neighborhood is generally close knit and people are, for the most part, cooperative and fair and the
10 only problem that they appear to have in the neighborhood is the landscape burning issue.

11
12 Ms. Ore stated that the Windsor Park Homeowner's Association has received many complaints about the
13 burning issues and they try to encourage people not to burn. She said that two years ago the association
14 purchased a paper lawn and leaf bag for every household in the neighborhood. She said that the bags were
15 distributed and the association informed people that, due to many health issues, the association is requesting
16 that they not burn their landscape waste. She said that approximately 10% of the people in their
17 neighborhood are still determined to burn their landscape waste, leaves and in rare cases garbage.

18
19 Ms. Ore stated that since the health and safety and road damage dangers of leaf and yard waste burning have
20 been recognized more and more people are bagging their leaves for pickup by Dave McGath, Champaign
21 Township Highway Commissioner. She said that she believes that if people were confronted with the
22 consequences for violating a County ordinance that they would stop and she would like to distribute this
23 information in a flyer to everyone in the neighborhood. She said that news travels pretty fast in their
24 neighborhood therefore if one person received a citation for burning from the County then that might take of
25 the whole problem. She requested that ELUC adopt an ordinance that will assist them to stop this public
26 nuisance. She said that there are several residents of the neighborhood who have asthma and the smoke
27 causes various upper respiratory symptoms and exacerbates their condition. She said that some people burn
28 their yard waste on the street therefore it will cost the County more money in repairing the street. She said
29 that the burning in the street also causes a visibility safety hazard and sometimes it is an accident just
30 waiting to happen. She said that one resident of the neighborhood burns leaves in the street unattended.

31
32 Ms. Ore stated that there are many reasons why people should stop burning leaves and landscape waste and
33 she would really appreciate the County Board's support with a burning resolution.

34
35 Mr. Jones asked Ms. Ore where her subdivision is located.

36
37 Ms. Ore stated that her subdivision is south of Windsor Road between Lyndhurst and Prospect Ave. She
38 said that her subdivision has a lot of cul-de-sacs off of Windsor Road and cul-de-sacs off of Prospect to the
39 east. She said that there are 162 houses, which are not minimal, but the area is certainly big enough to cause
40 some damage if there is a lot of leaf burning. She thanked the Committee for listening to her concerns.

41
42 Mr. Thomas Kovacs, who resides at 2502 Stanford Dr, Champaign stated that he and his wife are 6 year
43 residents of the Windsor Park Subdivision. He said that he is concerned about the allowance of leaf burning

1 in the area. He said that he originally lived in the City of Champaign where leaf burning has been prohibited
2 for many years and was surprised to find out that leaf burning was allowed in his neighborhood. He said
3 that he has three neighbors who burn regularly throughout the year and the smoke does not smell like leaves.

4 He said that they are forced to close their windows and stay inside of their home which is very unfair. He
5 read the following statements from the American Lung Association:

- 6 1. 1 out of every 6 people are susceptible to the irritating effects of smoke from burning leaves and
7 these people include children under 10, people over 65, pregnant women, people with asthma,
8 people with chronic respiratory diseases, smokers and people with allergies.
- 9 2. 85% of the particles from burning leaves travel deeply into the lungs placing an unnecessary
10 burden on respiratory systems.
- 11 3. Leaf burning gives out major pollutants in the form of particulates, hydro-carbons and carbon
12 monoxide. High risk groups for particulates are those with cardio-vascular problems, asthmatics,
13 children under the age of 6, and people with bronchitis and emphysema.
- 14 4. The unburned chemicals and combustion in leaf smoke contains 7 hydro-carbons known to cause
15 cancer. 85% of the hydro-carbons given off by leaf smoke are small enough to reach the deepest
16 part of the lungs and are absorbed into the blood stream.
- 17 5. High risk groups at risk from hydro-carbons are those with cardio-pulmonary and cardio-vascular
18 problems, tobacco smokers. Carbon monoxide combined with the hemoglobin in the blood
19 reduces the bloods oxygen carrying capacity.

20
21 Mr. Kovacs stated that on average one ton of leaves will produce 38 pounds of fine particulate matter, 26
22 pounds of hydro-carbons and 112 pounds of carbon monoxide. He said that this is not new information and
23 he cannot see how any sane person would argue why they feel that they need to burn when there is leaf
24 pickup available twice a year. He said that there is no compelling reason to burn leaves or anything else
25 throughout the year. He said that he would like to see something done about this issue.

26
27 Ms. Melin stated that Mr. Kovacs is not located within the city limits of Champaign or Savoy therefore his
28 property is within the unincorporated area of the County.

29
30 Mr. Kovacs stated yes.

31
32 Ms. Melin stated that this is the forum by which Mr. Kovacs must state his concerns regarding burning.

33
34 Mr. Kovacs stated yes. He said that he has heard people say that one of the reasons that they moved to the
35 subdivision is because they are free to burn.

36
37 Mr. Barney Bryson, who resides at 2102 Barnes St, Urbana stated that he has no problem with the burning
38 of leaves or yard waste but he does have a problem with the burning of plastic items. He said that he is the
39 Chairman of the Board of Trustees for the Carroll Fire Protection District and he himself has allergies and
40 respiratory issues and he would appreciate it if the County Board would consider a logical consequence for
41 burning plastic and garbage. He said that he would hate to see people who live out in the far rural areas be
42 hampered by something that they have done forever and the people that are closer to the city limits be
43 limited to the city's requirements. He said that many people do move out in to the country so that they can

1 burn some of their plants and flowers that they grow in their yard because they do not have a semi-truck to
2 haul it away. He said that he would appreciate it if the County Board would consider enforcing the
3 Environmental Protection Agency’s laws in regard to plastic and rubbish burning and consider a minimal
4 allowance of the burning of yard waste or anything else that is acceptable that is a natural consequence of
5 growing plants.
6

7 **5. Correspondence**

8
9 None

10
11 Ms. Wysocki requested that Committee hear Agenda Item #11 at this time. She said that this is basically an
12 update from Susan Chavarria regarding the Land Resource Management Plan.
13

14 **6. Resolution in support of the intent to provide Countywide general public transportation**
15 **service pursuant to SAFETEA-LU**

16
17 Ms. Rita Black, Transportation Engineer with the Champaign-Urbana Urban Area Transportation Study at
18 the Regional Planning Commission stated that Mr. Weibel, Chairman of the Champaign County Board
19 received a letter from Gary A. DeLeo, Section Chief Rural and Small Urban Program for I.D.O.T. regarding
20 Section 5311 Operating/Captial Assistance Funding Request for new Grantees. She said that with the
21 SAFETEA-LU an allocation will be made to the County over the next three years which will amount to
22 almost \$450,000. She said that what I.D.O.T. would like to know at this time is what the County will do
23 with the money. She said that currently the RPC is working on a Human Services Transportation Plan and
24 the plan is also based on the SAFETEA-LU funding and the County along with 18 other counties will hire a
25 Transportation Coordinator. She said that after discussing the issues as to what to do with the SAFETEA-
26 LU funding it was decided that the best option is to roll over the money until review of the results of the
27 Human Service Transportation Plan is complete.
28

29 Mr. Moser asked if the RPC would administer these funds.
30

31 Ms. Black stated not necessarily. She said that at this point we do not know who will administer the
32 funding.
33

34 Mr. Moser stated that he has a fear that this is like every other federal grant that the County receives in that
35 in three or four years there will be a program set up with no funding to carry it on therefore it comes back
36 upon local government to pay for it. He said that he cannot envision what kind of a transportation setup we
37 could have in this County with that limited amount of money. He said that the RPC currently has buses that
38 are sent out to get people and take them places. He said that he does not want another mass transit district
39 in Champaign County if it is going to lead to something for the CU MTD to expand and start taxing
40 farmland for future use.
41

42 Ms. Black stated that staff is working with all of the stakeholders.
43

10-09-07

AS APPROVED NOVEMBER 13, 2007

ELUC

1 Ms. Anderson asked if the other 18 counties would get funding also.

2

3 Ms. Black stated yes, at different levels.

4

5 Ms. Anderson asked if the funds are not used by 2010 will they lapse.

6

7 Ms. McGrath stated yes.

8

9 Mr. Langenheim stated that the amount of money that is involved is not going to setup a transit district in
10 this County but on the other hand we have an ever increasing number of people moving to the communities
11 in the County. He said that there is a commuter population in the County and given the condition of the
12 world's economy and the future of fuel it doesn't seem imprudent to look forward to the possibility of
13 having commuter service from the City of Champaign to those rural communities. He said that some of
14 those communities have already made moves in considering commuter services. He said that it is incumbent
15 upon ELUC to grasp this opportunity and stock pile the money to see how things go and eventually use it for
16 transportation for commuters because if the cost of fuel goes sky high those people will be stranded out
17 there and something will have to be done for them.

18

19 Mr. Moser stated that people did not move out there to ride a bus to town.

20

21 Mr. Doenitz stated that he disagrees with Mr. Langenheim. He said that the people that he is talking about
22 do not ride buses because they drive \$50,000 vehicles. He said that they are not about to ride a bus to
23 Champaign and he does not understand where Mr. Langenheim got such an idea. He said that he agrees
24 with Mr. Moser in that there is only \$450,000, which is not much money, therefore where is the rest of the
25 money going to come from to complete the project. He said that they are going to come right back to the
26 County to ask for money and the County does not have to give it to them. He said that he does not want
27 anything to do with having the MTD in the County because that would be a disaster. He asked Ms. Black
28 who the stakeholders are.

29

30 Ms. Black stated that she is working with different agencies which provide services for low income, elderly
31 and the disabled to see how they can be more efficient with their services.

32

33 Mr. Doenitz stated that he has been in an elected office in one way or another for 15 years and not one
34 person has contacted him about rural transportation.

35

36 Ms. Anderson stated that there is a wide variety of people and incomes in the County. She said that she is a
37 Mental Health Board member and various other agencies and the issue of transportation is an issue that
38 comes up a lot. She said that the RPC has vans that go out to various areas to provide services and
39 transportation was discussed during *big.small.all* sessions. She said that we should be looking at the
40 transportation services to see what the problems are.

41

42 Ms. Melin asked Ms. Black if the University of Illinois is one of the agencies that she is working with
43 because currently they have a service that goes to Danville.

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28
29
30
31
32
33
34
35
36
37
38
39
40
41
42
43

Ms. Black stated yes and also with 12 counties surrounding Champaign County.

Ms. Wysocki asked Ms. Black when she anticipates that the Human Services Transportation Plan will be completed.

Ms. Black stated that it has to be completed by 2008.

Ms. Wysocki asked if the County will have the completed plan well in advance of having to make a decision about the disposition of the money that is available.

Ms. Black stated yes.

Mr. Weibel asked if this is a grant to the County Board and if it is rolled over we have time to decide what to do with it and if we don't want the program we vote no.

Ms. Wysocki stated that at this point ELUC does not need to do anything with this.

Ms. Black stated that ELUC needs to provide direction because she needs to know by November 1st what to do with the money.

Ms. McGrath stated that if a recommendation is not made tonight then basically the money will be gone.

Mr. Langenheim moved to adopt the recommendation to roll over the funds.

Ms. McGrath stated that the resolution does have to indicate such and the Sample Board Resolution on Page 5 of the packet does not have that language included therefore it must be added.

Mr. Hall stated that I.D.O.T. provided a Sample Board Resolution for any of the four options.

Ms. Melin seconded the motion.

The motion carried with one opposing vote.

7. Proposed Amendment to County's Nuisance Ordinance adding burning regulations

Mr. Hall distributed a new memorandum with attachments dated October 9, 2007, to the Board for review. He said that Attachment A compares the burning regulations in the existing Nuisance Regulations (none) with the Illinois Pollution Control Board (and Illinois Environmental Protection Agency regulations) and with the 9/20/07 Draft Resolution. He said that the table attempts to make clear how the Draft Resolution compares to the Pollution Control Board regulations and what it shows is that the Draft Resolution which the Board referred back to the Committee is identical to the Pollution Control Board Regulations except that it only prohibits the burning of landscape waste within 1000 feet of the City of Champaign and City of

1 Urbana. He said that it also adds certain other standards for where burning is allowed.

2
3 Mr. Hall stated that Attachment B is a very simple table that illustrates that between the Draft Resolution of
4 9/20/07 and the no action alternative there is a number of alternatives. He said that one alternative would be
5 to adopt prohibition of burning of landscape waste within 1000 feet of Champaign and Urbana; prohibition
6 of the burning of domicile waste within one mile of Champaign and Urbana; and allow the burning of both
7 items elsewhere in the unincorporated area with “common sense” limits. He said that these “common
8 sense” limits would be as follows: the burning must occur on the same premises on which the waste is
9 generated; the burning must not create a visibility hazard on roadways; the burning shall not occur on
10 roadways unless it has the approval of the relevant highway authority; and all burning shall comply with the
11 requirements of the relevant Fire Protection District.

12
13 Mr. Hall stated that Attachment C takes the Draft Resolution that went to the County Board in September
14 and strikes a number of items. He said that Attachment C prohibits the burning of landscape waste within
15 1000 feet of Champaign and Urbana, prohibits the burning of domicile waste within one mile of Champaign
16 and Urbana; and allows the burning of both items elsewhere in the unincorporated area with “common
17 sense” limits. He said that some of the other alternatives between that alternative and doing nothing is to
18 scale back the limits of the burning of domicile waste. He said that he reviewed the zoning map and he
19 believes that domicile waste burning would need to be prohibited for at least one-half mile from Champaign
20 and Urbana to encompass all of the subdivided areas around Champaign and Urbana. He said that if this is
21 done then we are limiting the burning of domicile waste for the outer one-half mile. He said that there a lot
22 of alternatives but this just simply says that the County is going to adopt the prohibition of burning domicile
23 waste for one mile around Champaign and Urbana and adopt the prohibition of the burning of landscape
24 waste for 1000 feet, which is as Ms. Ore pointed out does not include all of Windsor Park Subdivision, but
25 again both of those numbers come from the Pollution Control Board regulations. He noted that he has not
26 received any comments about what was wrong with the version that was at the County Board but this
27 alternative gets rid of everything except those “common sense” kinds of things.

28
29 Mr. Langenheim asked if it would be possible to couch that restriction on Champaign and Urbana to recast
30 the Champaign and Urbana metropolitan area for highway development. He said that this area would
31 include Savoy, Bondville and the Windsor Park Subdivision.

32
33 Mr. Hall stated that this would be another way of doing it but we would want to be absolutely clear that this
34 area is the Champaign Urbana Urbanized Area Transportation Study area, although he does not know that
35 this would be a better alternative.

36
37 Mr. Langenheim stated that the basic intent is to prohibit burning in urbanized areas and to allow it in fully
38 rural areas and this would be a good way of defining these areas.

39
40 Ms. McGrath stated that the County does not have the legal authority to do that because the Pollution
41 Control Board standards are very strict on what where our local authority ends and statutorily we do not
42 have the authority to expand that area without some kind of amendment to the regulations. She said that
43 even though it sounds like a good idea it isn't something that we can enforce.

1
2 Mr. Langenheim stated that perhaps we could include Champaign, Urbana and Savoy because that would
3 take care of the Windsor Park area.
4
5 Mr. Hall stated that adding Savoy to the prohibition on burning of landscape waste would include all of the
6 Windsor Park area.
7
8 Ms. Anderson stated that she does not believe that the 1000 foot area would include all of the Windsor Park
9 area.
10
11 Mr. Doenitz stated that Windsor Park is surrounded by Champaign and Savoy therefore why haven't they
12 been annexed. He asked if it was because Windsor Park is larger than 60 acres.
13
14 Mr. Hall stated that he believes that Windsor Park is 80 acres. He said that just recently Savoy annexed
15 property near Windsor Park which will house a new banking facility. He said that some day it will be
16 smaller than 60 acres but he does not recall what the boundary agreement between Champaign and Savoy
17 says about who actually would annex that area and that may be one reason why it has never been annexed.
18
19 Ms. McGrath stated that Savoy cannot be included in the burning regulation recommendation because the
20 Pollution Control Board regulations indicate that if the municipality allows burning, which Savoy does
21 allow, then the County cannot enforce its burning regulations upon Savoy's jurisdiction.
22
23 Mr. Hall stated that Savoy only allows burning during the day time hours.
24
25 Ms. McGrath stated that Savoy does allow burning therefore the County cannot over rule their jurisdiction.
26
27 Mr. Jones asked Mr. Hall how the 1000 feet figure was determined.
28
29 Mr. Hall stated that the 1000 feet requirement is straight out of the Pollution Control Board regulations.
30
31 Ms. Wysocki allowed Ms. Ore to comment.
32
33 Ms. Ore stated that the way Windsor Park is situated the 1000 feet requirement would take care of
34 everything but two blocks of the neighborhood. She said that the southern most border of Windsor Park
35 Subdivision is the street called Park Lane Drive. She said that the 1000 feet requirement would cover
36 everything including the north side of Park Lane Drive but not the south side of Park Lane Drive for two
37 blocks. She said that she would rather see the entire neighborhood covered by the prohibition but it would
38 be better to have almost all of Windsor Park Subdivision covered rather than none.
39
40 Mr. Hall stated that the western 1000 feet of the south side of Park Lane Drive would be covered but it is
41 just that eastern portion that would not be covered.
42
43 Ms. Ore stated that if this is all that the County can offer the Windsor Park area then we will take it.

1
2 Ms. Melin asked if it is true that the County is not complying with the Illinois EPA regulations currently.
3
4 Mr. Hall stated that a hard reading of the regulations indicates that the County is not complying. He said
5 that the alternative that the County Board reviewed in September would also not comply with the Illinois
6 EPA regulations and the alternative that was presented tonight would not comply. He said that the only way
7 to comply with the Illinois EPA regulations would be to adopt them 100%.
8
9 Ms. Melin asked if there were any repercussions for non-compliance.
10
11 Mr. Hall stated that currently staff refers people to the Illinois EPA for enforcement. He said that the Illinois
12 EPA does follow up with enforcement and they have been telling people that Champaign County has not
13 been doing its job.
14
15 Ms. Wysocki asked the Committee which alternative they would prefer if any.
16
17 **Ms. Melin moved, seconded by Mr. Langenheim to adopt Attachment C.**
18
19 Mr. Moser asked who will enforce it because he does not believe that the Sheriff will do it.
20
21 Mr. Doenitz stated that we can't get parked cars moved how are we going to get the Sheriff's office to
22 enforce burning.
23
24 Ms. McGrath stated that citizen complaints will be enforced by the Sheriff's office.
25
26 Mr. Doenitz stated that elected officials complain and can't get stuff done so why would this be any
27 different.
28
29 Ms. Wysocki stated that basically this would be putting in writing what the County's policy is which gives
30 the Sheriff, when needed, the authority to enforce the burning regulations.
31
32 Ms. McGrath stated that the Sheriff's office has received complaints from the Windsor Park area and does
33 not have the authority to follow up on those complaints because they have no authority. She said that the
34 complaints thus far have been referred to the Illinois EPA directly and it is up to this Committee to
35 determine whether they want to change that procedure.
36
37 Ms. Wysocki asked if the Illinois EPA is responsible in terms of enforcing their rules and regulations.
38
39 Ms. McGrath stated that by State Statute the local authority is responsible for enforcing this portion of the
40 Illinois EPA regulations and currently the County is not in state compliance in that we do not have this
41 enforcement activity as part of our Nuisance Ordinance.
42
43 Ms. Wysocki stated that basically the Illinois EPA sends it back to the County with instruction to do

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28
29
30
31
32
33
34
35
36
37
38
39
40
41
42
43

something about the violation.

Ms. McGrath stated yes.

Mr. Langenheim asked if the fire protection districts have any authority for enforcement.

Ms. McGrath stated no. She said that the fire protection districts can adopt their own regulations and there are certain complaints that they can follow up on and control under their own regulations but they do not have authority over enforcement activity on burning as described by this particular amendment.

Ms. Wysocki requested a roll call vote.

Anderson-yes	Doenitz-no	Gladney-yes	Jones-yes
Langenheim-yes	Melin-yes	Moser-yes	Wysocki-yes

The motion carried with one opposing vote.

8. City of Champaign annexation agreement with Illinois American Water Company for a proposed water treatment plant in Section 1 of Scott Township and potential role of Champaign County in litigation involving annexation agreement.

Ms. McGrath stated that the Circuit Court granted a motion to dismiss in the case filed by Mr. Armstrong and Mr. Fiedler who was represented by Mr. Barickman. She said that Mr. Armstrong and Mr. Fiedler had 30 days from the date of that ruling to appeal it to the Appellate Court and they only have approximately one week in which to file such an appeal. She said that at this time there is no action to be taken by the County Board but the County can re-examine that issue if and when they appeal that decision.

9. Proposed Intergovernmental Agreement regarding development pursuant to municipal annexation agreement that is more than one-and-one half miles from the municipality.

Mr. Weibel stated that the informational meeting regarding Item #9 will be noticed in accordance with the Illinois Open Meetings Act.

Mr. Hall distributed the following items to the Committee for review: e-mail dated October 9, 2007, from Trisha Crowley; notice of an Information Workshop for Local Government Officials to be held by the RPC regarding Annexation and Extra-territorial jurisdiction; and a map indicating Champaign County Civil Jurisdictions.

Mr. Hall stated that Ms. Crowley had intended to attend tonight's meeting but was required to attend the City Council meeting. He said that legal representatives from Champaign, Urbana and other municipalities have been meeting and discussing the proposed agreement trying to come up with a comprehensive set of comments. He said that Ms. Crowley plans to attend the November, 2007 ELUC meeting.

10-09-07

AS APPROVED NOVEMBER 13, 2007

ELUC

1 Mr. Hall said that the Committee received an invitation to a forum which the RPC is holding on Thursday,
2 October 25th at the Savoy Recreation Center from 6:30 to 8:45 p.m. The idea of the forum is to have a
3 common understanding of what the effects of the *Chatham* decision are and a common understanding of
4 what the rules regarding annexation agreements are and then have a question and answer session on what the
5 County is trying do with this proposed Intergovernmental Agreement. He said that this is all prior to
6 ELUC's meeting in November where if things could move quickly enough ELUC could make a decision
7 regarding that agreement but frankly at this point he does not believe that ELUC will be ready to make a
8 decision in November. He said that attached with the invitation to the meeting is a map indicating all of the
9 municipalities in the County that have comprehensive plans and thus comprehensive planning ETJ area and
10 all municipalities that have zoning, one-and-one- half mile jurisdiction. He said that the orange lines on the
11 map are the areas where ETJs overlap but there is no specific agreement and the yellow lines are where the
12 ETJs overlap. He said that the orange lines on the map represent another concern that the Intergovernmental
13 Agreement could be of some help with but it also may complicate it.

14
15 Mr. Hall stated that attached to the agenda is a copy of the mailing that was sent to all of the municipalities
16 and he has received calls from the Mayor of Ogden and the staff at the Village of Rantoul. He said that
17 based on the discussion that he had with the Mayor of Ogden there appears to be a real need for the forum
18 that the RPC plans to hold because smaller villages that do not have full-time attorneys are looking for
19 sources of information and that is one thing that the forum is suppose to provide.

20
21 Mr. Moser stated the RPC has a program that has a director from the Illinois Municipal League and that one
22 of the big reasons why we can't get the law changed about *Chatham* and the rest of the stuff that is outside
23 the one-and-one-half mile.

24
25 Mr. Hall stated that he hopes that this is an opportunity to make the Illinois Municipal League aware that
26 even some of their own constituents are unhappy with the *Chatham* decision as it stands and frankly he
27 hopes that it gets them on board in getting something changed at the state level.

28
29 Mr. Moser stated that there is a reason why it isn't getting changed.

30
31 Mr. Doenitz stated that we have already had a member of the Illinois Municipal League in Champaign jump
32 out and do it and they think it's okay so now they want to do something about it. He said that he thinks the
33 whole thing is a moot point and it needs to be done at Springfield and he is not sure why the County is
34 moving ahead with a Land Use Plan until this is resolved. He said that the County will be spending money
35 for absolutely nothing until the *Chatham* issue is resolved. He said that any municipality in the State of
36 Illinois can go anywhere in the County of Champaign and do what they want.

37
38 Mr. Hall stated that Mr. Doenitz was correct in stating that any municipality in the State of Illinois can go
39 anywhere in the County of Champaign and do what they want. He said that if the County was not doing a
40 plan they would be in even a worse situation than they are right now. He said that currently the County can
41 tell municipalities that we are trying to get our plan up to date and that means a lot to the larger
42 municipalities but if the County was not doing a plan there would be some deaf ears among the
43 municipalities because the County would not be trying to get their own plan up to date.

1
2 Mr. Doenitz asked how many years have we gone without a Comprehensive Plan and we still do not have
3 one and are not even close to having one. He asked if anything has come from the County Board to any
4 legislator to try to get someone to sponsor a bill to get something done about this.
5
6 Mr. Hall stated that a the Resolution was sent out in April but nothing else has been sent.
7
8 Ms. McGrath stated that we have had discussions with two of the municipal attorneys to ask them to work
9 with the County on legislation to amend the house bill which we sent the communiqué about in April. She
10 said that thankfully the legislature is not in session now but we are looking to submit additional
11 communiqué to them when they do go back in to session and she would hope to have their support. She said
12 that she suspects that Champaign County is not the only county which is not happy but it would certainly
13 help if the County had the help of the Illinois Municipal League and that is what she is working on currently.
14
15 Mr. Doenitz asked if this could go before legislation during their veto session.
16
17 Ms. McGrath stated that this item is not on their veto session agenda.
18
19 Mr. Hall stated that even if Champaign County had been successful in getting added to House Bill 3597 we
20 would still need an intergovernmental agreement because the municipalities are going to want to know some
21 guidelines in case they want to do something outside of their ETJ and what exactly would be required.
22
23 Mr. Doenitz stated that he thought that this process was taking place currently.
24
25 Mr. Hall stated that if Champaign County had been included in House Bill 3597 the only way that the
26 municipality could go outside of their ETJ is essentially with the approval of the County Board.
27
28 Mr. Moser asked if staff has received any response from St. Joseph or Tolono.
29
30 Mr. Hall stated no.
31
32 Ms. Wysocki stated that it is still pretty early to have received any response.
33
34 Mr. Hall stated that he sent out the memorandum to the municipalities on October 4, 2007, but those who are
35 in the know probably already knew that this was coming up and he doesn't expect to hear anything from
36 them until after the forum.
37
38 Ms. Wysocki stated that it is important that there is communication and dialogue between the counties and
39 municipalities with the idea of getting everyone on the same page.
40
41 Ms. Melin stated that Mr. Knight and Ms. Crowley attended the last ELUC meeting and they were very
42 encouraging about developing an intergovernmental relationship with the County but the way that she reads
43 Ms. Crowley's e-mail it appears that she is stonewalling because this is an issue that has to be dealt with at a

10-09-07

AS APPROVED NOVEMBER 13, 2007

ELUC

1 state level. She said that Ms. Crowley's e-mail does not appear to be as encouraging as when she spoke
2 before this Committee in September.

3
4 Ms. McGrath stated that initially this came from a meeting that she, John Schroeder, Barbara Wysocki, and
5 Pius Weibel held at the City of Champaign. She said that at this meeting they specifically asked that the
6 City of Champaign work with the County on the legislation to amend House Bill 3597 to add Champaign
7 County to the list. She said that when Ms. Crowley speaks about state legislation in her e-mail this is what
8 the County requested so that we can work jointly on that issue.

9
10 Mr. Moser stated that he does not approve of Champaign jumping over the one-and-one-half mile for the
11 water plant but if you look at Bondville they didn't have the capability of dealing with the issues and some
12 of these little towns have no capability at all as far planning goes. He said that if the City of Champaign
13 jumps off and does something silly we can't stop them but we can at least make the effort to get them to sign
14 something because we never know what might pop up out there.

15
16 Mr. Doenitz asked if an intergovernmental agreement will be binding.

17
18 Ms. McGrath stated that we will have to make sure that we amend the legislation to add a phrase that would
19 say that we have legal permission to enter into an agreement and make it legally binding.

20
21 Ms. Wysocki stated that it would be in the Committee's best interest if as many members of this Committee
22 to attend this meeting as possible. She said that we do not need to dominate the discussion or get carried
23 away but the Committee's presence could probably carry this a long way in terms of the communities
24 getting serious in working out some kind of agreement.

25
26 **10. City of Champaign Request for increased County Contribution to Offset Cost Drop-Off**
27 **Recycling Site Update**

28
29 Ms. McGrath stated that she has no new information on this agenda item.

30
31 Ms. Wysocki stated that Item #10 should be placed on the November, ELUC agenda.

32
33 Mr. Moser asked if the County is subsidizing any of the other drop-off sites in the smaller towns.

34
35 Ms. McGrath stated no.

36
37 **11. Champaign County Land Resource Management Plan Update**

38
39 Ms. Susan Chavarria, Regional Planning Commission stated that a steering committee meeting of the Land
40 Resource Management Plan was held at 7:30 a.m. on September 13, 2007, at the First Christian Church.
41 She said that at this meeting staff updated the steering committee on previous planning efforts by the Blue
42 Ribbon Environmental Panel and also the Visioning Process. She said that staff gave everyone an outline of
43 the existing Conditions and Trends report so that they can take a look to see what will be the general themes

1 of the document. She said that the timeline was reviewed for approving the Conditions and Trends report.
 2 She said that the next meeting for the steering committee will be held on November 15, 2007, and during
 3 that time we will be reviewing the draft of the Conditions and Trends report that staff is currently working
 4 on. She said that the draft will be mailed next week to the steering committee and also to ELUC members
 5 so that they have two to three weeks time to submit comments to staff. She said that staff anticipates sign-
 6 off on the draft at the November 15th meeting so that it can go before ELUC and the County Board in
 7 January.

8
 9 Ms. Wysocki stated that the Committee shall return to Agenda Item #6.

10
 11 **12. Update on Enforcement Cases**

12
 13 Mr. Hall stated that the property at 1101-A Perkins Road, Urbana has been torn down although he did not
 14 get a chance to visit the site today to verify that it was all cleaned up. He said that it appeared that they were
 15 using reasonable care in tearing it down and controlling the dust. He said that this will be one less
 16 dangerous structure in the county.

17
 18 Ms. McGrath stated that an offer has been received on the Mefford property from the Housing Authority.

19
 20 Mr. Moser asked if staff has received any information regarding a house fire which occurred west of
 21 Champaign.

22
 23 Mr. Hall stated no.

24
 25 Ms. Busboom stated that someone from the EPA has been discussing this property with Jamie Hitt, Zoning
 26 Officer. She said that the EPA only wanted to know who owned the property and no information was given
 27 regarding the cause of the fire.

28
 29 **13. Monthly Report**

30
 31 Mr. Hall distributed the September, 2007 Monthly Report. He said that he does not have a real good
 32 summary overview but he is happy to report that our zoning cases are still much behind what they would
 33 normally be and staff is currently working on the pipeline amendment. He said that staff is tackling some
 34 the more difficult backlog of enforcement cases and those cases are taking a lot of time but we are also
 35 dealing with new complaints as they are reported. He said that there appears to be a new truck terminal
 36 operating in Urbana Township and this case will be forwarded to Ms. McGrath's office tomorrow.

37
 38 Mr. Moser stated that the truck terminal should be moved to Vermilion or Douglas County because they do
 39 not have zoning.

40
 41 **14. Other Business**

42
 43 None

10-09-07

AS APPROVED NOVEMBER 13, 2007

ELUC

1
2
3
4
5
6
7
8
9
10
11
12

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

None

16. Adjournment

The meeting adjourned at 8:17 p.m.

Respectfully submitted,

Secretary to the Environment and Land Use Committee

eluc\minutes\minutes.frm