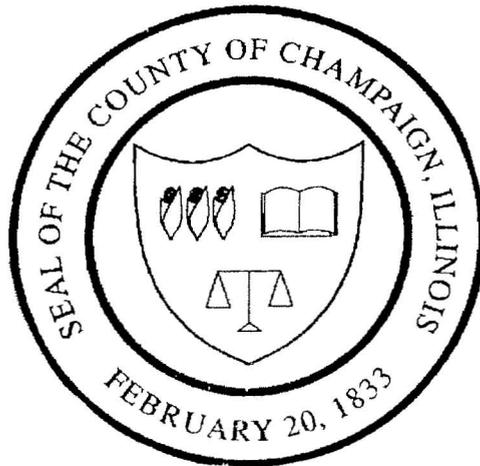


*Environment  
& Land Use Committee  
Agenda*

*January 12, 2009*



*7:00 p.m.*

*Lyle Shields Meeting Room  
(Meeting Room 1)  
Brookens Administrative Center  
1776 East Washington, Urbana, Il 61802  
(217) 384-3708*

# AGENDA

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## ***Champaign County Environment & Land Use Committee***

### ***Members:***

*Carol Ammons, Jan Anderson, Chris Doenitz  
Brad Jones, Alan Kurtz (VC), Ralph Langenheim,  
Steve Moser, Jon Schroeder, Barbara Wysocki (C)*

***Date:*** *January 12, 2009*

***Time:*** *7:00 p.m.*

***Place:*** *Lyle Shields Meeting Room  
Brookens Administrative Center  
1776 E. Washington St.  
Urbana, Illinois*

***Phone:*** *(217) 384-3708*

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## AGENDA

*Old Business shown in Italics*

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1. Call to Order
2. Approval of Agenda
3. Approval of Minutes (November 10, 2008 and December 18, 2008) 1 thru 21
4. Correspondence:
  - A. Illinois Environmental Protection Agency 22
  - B. Ameren Illinois Utilities 23 thru 25
5. Chair's Report
  - A. ZBA vacant position
  - B. Windfarm forum
6. Public Participation
7. Recreation and Entertainment License: *Hideaway of the Woods Bar & Grill, 809 S. Prairieview Rd, Mahomet, IL. January 1, 2009 thru December 31, 2009.* 26 thru 35
8. Recreation and Entertainment License: *Last Call for Alcohol, Inc, 105 Main St. Penfield, IL. January 1, 2009 thru December 31, 2009.* 36 thru 41
9. Recreation and Entertainment License: *Gordyville, LLC, 2205 CR 3000N, Gifford, IL. January 15, 16 and 17, 2009. Tractor pull* 42 thru 62
10. Joint Champaign County-City of Champaign Enterprise Zone: *Boundary Agreement* 63 thru 81

**CHAMPAIGN COUNTY**  
**ENVIRONMENT AND LAND USE COMMITTEE AGENDA**  
**JANUARY 12, 2009**  
**PAGE 2**

**11. Updates:**

- A. Champaign County Land Resource Management*
- B. Champaign County Hazard Mitigation Plan*
- C. House Bill 2518 (regarding Chatham decision)*
- D. Zoning Ordinance Amendment for wind farms*

**82 thru 85**

**86 thru 87**

**13. Monthly Reports (October, November, December, 2008)**  
*(to be distributed at meeting)*

**14. Other Business**

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

**16. Adjournment**

**MINUTES OF REGULAR MEETING**

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<b>Champaign County Environment &amp; Land Use Committee</b>	<b>DATE:</b>	<b>November 10, 2008</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:** Jan Anderson, Chris Doenitz, Matthew Gladney, Brad Jones, Ralph Langenheim, Alan Kurtz, Steve Moser, Barbara Wysocki (C)

**OTHER COUNTY  
BOARD MEMBERS  
PRESENT:** Pius Weibel (Chair)

**DRAFT**

**MEMBERS ABSENT:** Jon Schroeder (VP)

**STAFF PRESENT:** John Hall, Leroy Holliday, J.R. Knight, Susan McGrath (Senior Assistant State's Attorney), Susan Monte (Regional Planning Commission)

**OTHERS PRESENT:** Michael Tague, Teri Legner, Hal Barnhart, Quesnell Hurtmann, Sherry Schildt, John Dimit

---

**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**

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

**3. Approval of Minutes (October 10, 2008)**

Mr. Langenheim stated that Page 6, Line 1 should be revised to state that "was built" should be added to the end of the sentence. He said that Page 9, Line 3 should indicate "north west."

Mr. Hall stated that the minutes should indicate that Alan Kurtz was present as a Committee member at the October 14<sup>th</sup> meeting.

**Mr. Langenheim moved, seconded by Ms. Anderson to approve the October 10, 2008, minutes as amended. The motion carried by voice vote.**

1  
2 **4. Correspondence**  
3

4 None  
5

6 **5. Public Participation**  
7

8 Ms. Teri Legner, Economic Development Manager for the City of Champaign stated that on November 4,  
9 2008, the City Council considered the proposed Enterprise Zone Boundary Amendment and approved the  
10 amendment with a vote of 6 to 1. She said that she will be available to answer any questions that the  
11 Committee may have when Item #7 is addressed.  
12

13 Mr. John Dimit, Interim CEO of the Champaign County Economic Development Corporation stated that he  
14 is present at tonight's meeting to address Item #7. He said that the proposed Enterprise Zone Boundary  
15 Amendment is not an expansion that consumes additional farmland because this is land that is already in use.  
16 He said that the company involved is a successful high-tech company that is a spin-off from the University  
17 of Illinois and it is proposed that they will double their manpower. He said that this is exactly the type of  
18 industry that we want to encourage in Champaign County and it is absolutely critical to the EDC that we  
19 support these types of companies. He said that he will be available to answer any questions that the  
20 Committee may have when Item #7 is addressed.  
21

22 Mr. Quesnell Hurtmann, President and CEO of EpiWorks, Inc, stated that his company is located in the  
23 proposed enterprise zone expansion. He said that his company was established in 1997 and is a spin-off of  
24 the University of Illinois. He said that currently they are expanding their facility and employ 31 people. He  
25 said that they plan to add 10 to 15 people per year for the next couple of years to their current 31 employees.  
26 He said that they plan to double production space and invest approximately \$4.5 million dollars into the  
27 facility this year and expect to invest more as the company grows. He said that most of their sales are in the  
28 United States but they do compete against a lot of international companies located in Taiwan and Japan. He  
29 said that the company is very competitive in price and the enterprise zone will allow the company to expand  
30 as affordably as possible to receive the state tax and use credits for bringing in equipment and machinery.  
31 He said that he will be available to answer any questions that the Committee may have when Item #7 is  
32 addressed.  
33

34 Ms. Sherry Schildt distributed and read a prepared statement regarding Item #10, Champaign County Zoning  
35 Ordinance requirements for wind turbine developments. (See attachment to November 11, 2008, minutes)  
36

37 Ms. Schildt stated that attached to her prepared statement is an article dated October 24, 2008, from *Business*  
38 *Week* titled "*Wind turbine blade crashes down in Illinois field*"; and an article from [www.windaction.org](http://www.windaction.org)  
39 titled "*Searsburg windmill collapses*"; and an article from *USA Today* titled "*Neighbors at odds over noise*  
40 *from wind turbines.*"  
41

42 Ms. Wysocki asked the audience if anyone desired to speak about Item #8, Zoning Case 638-AM-08 at this

1 time and there was no one.

2  
3 Ms. Wysocki stated that this is the last meeting of this particular ELUC session and she thanked all of the  
4 members for their service on the committee. She said that the Committee has performed admirably although  
5 it does not mean that all of the members have always agreed or satisfied each other or the public. She said  
6 that she has been very pleased with the diligence that each member has exercised in doing the work of this  
7 committee and has been impressed with the level of conversation that has occurred on some very difficult  
8 issues and appreciates the effort that everyone has put in to being members of the Environment and Land  
9 Use Committee. She said that she hopes to have some of the same members back on the Committee because  
10 continuity on a committee such as this is extremely important although she welcomes any new members who  
11 may want to join this committee. She said that a good pattern has been established and she hopes that the  
12 same tradition will continue.

13  
14

15 **6. Updates:**

16 **A. *Champaign County Land Resource Management Plan***

17

18 Ms. Monte stated that since the October, 2008 ELUC meeting there has not been any additional LRMP  
19 Steering Committee meetings because of harvest. She said that for the most part harvest is over and the  
20 Steering Committee will resume their review of the County Land Use and Resource Management Goals,  
21 Objectives and Policies. She said that it is expected that the Steering Committee will schedule some  
22 additional meetings between now and the next ELUC meeting to expedite their careful review of the  
23 agriculture and other land use policies.

24

25 **B. *Champaign County Hazard Mitigation Plan***

26

27 Ms. Monte stated that they are identifying mitigating actions to be considered by each participating  
28 jurisdiction and have developed a public preference survey which will be distributed on line and are  
29 expecting contact with representatives from each jurisdiction to discuss what they currently are doing and  
30 what they might consider as a mitigating action to address natural hazards.

31

32 **7. Enterprise Zone Boundary Amendment**

33

34 **Mr. Langenheim moved, seconded by Mr. Moser to recommend approval of the Enterprise Zone**  
35 **Boundary Amendment. The motion carried by voice vote.**

36

37 **8. Zoning Case 638-AM-08: Dewey State Bank and Craig Horsch, Senior Vice President**  
38 **Request: Amend the Zoning Map to change the zoning district designation from the AG-1**  
39 **Agriculture Zoning District to the B-2 Neighborhood Business Zoning District. Location: The**  
40 **Northwest 5 acres of 80 acres located at the West Half of the Northwest Quarter of Section 3 of**  
41 **Condit Township and commonly known as the farm field at the Southwest corner of CR 900E**  
42 **and IL 136.**

1  
2 **Mr. Doenitz moved, seconded by Mr. Moser to recommend approval of Zoning Case 638-AM-08. The**  
3 **motion carried by voice vote.**

4  
5  
6 9. **Zoning Case 583-AT-07: Zoning Administrator Request: Amend the *Zoning Ordinance* to**  
7 **establish “pipeline impact radius” and restrict certain development within a pipeline impact**  
8 **radius.**

9  
10 **Mr. Moser moved, seconded by Mr. Doenitz to recommend approval of Zoning Case 583-AT-07. The**  
11 **motion carried by voice vote.**

12  
13 10. ***Champaign County Zoning Ordinance requirements for wind turbine developments***

14  
15 Mr. Hall distributed a memorandum dated November 10, 2008, to the Committee for review. He said that  
16 the memorandum outlines alternative fees. He said that the November 6, 2008, memorandum indicated that  
17 the Zoning Administrator would have a fee recommendation at tonight’s meeting. He said that in September  
18 the Committee reviewed fees and at that time he was thinking that if the basic area fee for rezoning was  
19 applied to the Special Use Permit it would generate a fee that is comparable to what other counties charge for  
20 wind farms. He said that this approach may not work for Champaign County because we are defining the  
21 area of the wind farm much better than most counties define it. He said that after rethinking this issue and  
22 the way that Champaign County is defining the area of the wind farm, instead of the fee being comparable  
23 with what other counties have charged, \$70 thousand dollars per 100 unit wind farm, we might only end up  
24 in the low twenties which is not a reasonable fee considering the complexity and magnitude of a wind farm  
25 development. He said that it would also be difficult to access that fee quickly because staff would need to  
26 review the application. He said that he would recommend that the County go with a per turbine fee. He said  
27 that with wind turbine farms, because they are so complex, just going through the list of standard  
28 requirements is a lot of work. He said that he would recommend a 50% increase over the County’s current  
29 Special Use Permit fee of \$400 therefore charging \$600 per wind turbine and for a 100 unit farm the County  
30 would receive \$60 thousand dollars. He said that this is less than what McLean County would charge for a  
31 similar scale but it is difficult to compare because they go by an area basis, and they are not real clear about  
32 the area of the wind farm, which makes him uncomfortable. He said that staff’s proposal outlines exactly  
33 how staff will determine the area of the wind farm and it will be smaller than what a county like McLean  
34 County considers the area of the wind farm therefore he prefers the per wind turbine fee. He said that the  
35 County is discussing the possibility of reviewing all fees in the coming year and his recommendation would  
36 be that the Committee go with the fee that they are comfortable with currently and if we get this general  
37 review of our fees later in the year we can revisit this if necessary. He said that with this fee and the list of  
38 recommendations that went out in the packet staff is ready to proceed with an advertisement for public  
39 hearings. He said that the public hearings would start no later than February. He said that this is a big text  
40 amendment to draft and it will be a top priority but it will not restrict staff from working on other cases. He  
41 said that this will be a challenge for staff to get this done and in the old days we would assign this to our  
42 Special Projects Planner but we do not have a Special Projects Planner and the Planner is working full-time

1 on the LRMP. He said that this is the first time since we have started working on the LRMP that we are  
2 doing a major text amendment therefore staff will get it done as quickly as possible but it will be a challenge.  
3  
4 Mr. Moser asked Mr. Hall if he knew what Ford County is going to do. He said that he received a letter  
5 which indicated that the wind farm east of Paxton is probably going to proceed and 3500 acres have been  
6 optioned for a wind farm. He said that there is a meeting on November 22<sup>nd</sup> which will fill in the blanks on  
7 a lot of issues.  
8  
9 Mr. Hall stated that Ford County adopted the *Model Ordinance* almost verbatim and are requiring the 1,000  
10 foot separation from dwellings but only the lesser separation from the property lines. He said that he would  
11 not recommend that Champaign County adopt what Ford County adopted and would recommend greater  
12 separations.  
13  
14 Mr. Moser asked Mr. Hall if he knows what Ford County is going to use for fees.  
15  
16 Mr. Hall stated that Ford County adopted a special fee but he cannot remember what that fee was. He said  
17 that if the Committee desires staff could come back with a review of the various fees.  
18  
19 Mr. Moser stated that he does not have a problem with what Mr. Hall is recommending for fees but he did  
20 wonder what other counties, other than McLean County, are charging for the wind farm development.  
21  
22 Mr. Hall stated that Woodford County and LaSalle County have fees similar to McLean County. He said  
23 that all of the counties have taken the approach that they are not going to subsidize this because it is a big  
24 headache and they want to recapture as many fees as they can. He said that with their fee approach he  
25 wishes them good luck because if they receive a legal challenge hoping that the fees charged for the wind  
26 farm development covers the cost of their attorney fees.  
27  
28 Mr. Langenheim asked Mr. Hall what the rationale of the fee would be.  
29  
30 Mr. Hall stated that the fee would be subsidizing the cost of the zoning case from the rest of the general  
31 corporate fund.  
32  
33 Mr. Langenheim asked Mr. Hall if this would be considered a tax.  
34  
35 Mr. Hall stated that he would not consider this a tax but a fee.  
36  
37 Mr. Jones asked Mr. Hall if he knew how many wind turbines were proposed to be constructed near Gifford.  
38  
39 Mr. Hall stated that it is his understanding that approximately 100 wind turbines are proposed.  
40  
41 Mr. Jones asked Mr. Hall if staff has received any complaints or concerns.  
42

1 Mr. Hall stated that staff has received at least one call from a landowner who was wondering what the  
2 County was going to do about this proposed wind farm development.

3  
4 Mr. Jones stated that the proposal is for such a massive amount of wind turbines which will affect  
5 surrounding landowners. He asked Mr. Hall if there is compensation for surrounding landowners in the  
6 Ordinance.

7  
8 Mr. Hall stated no, and he would not recommend such in the Ordinance and would leave it up to the private  
9 sector. He said that when you require the 1,000 foot separation from the wind turbine to the edge of the  
10 development some how they have to get that landowner to agree to be part of the development. He said that  
11 he would hope that the landowner makes it worth their while but he would not recommend writing anything  
12 as such in the *Ordinance*.

13  
14 Mr. Hall stated that he has discussed this issue with Christina Papavasiliou (Assistant State’s Attorney) and  
15 they are both comfortable with the Special Use Permit approach but if the Committee is not comfortable  
16 with this approach then we could justify including a map amendment. He said that a wind farm is unlike  
17 anything else and he really believes that we could go either way but staff is comfortable with a County Board  
18 Special Use Permit.

19  
20 Mr. Jones asked if the map amendment would have protest rights attached.

21  
22 Mr. Hall stated that a map amendment would have protest rights but you shouldn’t go with a map  
23 amendment just to give protest rights. He said that if the County goes with a map amendment we are saying  
24 that this is materially different than what we want to have happen throughout our AG-1 District and it needs  
25 to be a map amendment because it is so materially different. He said that in his view the only thing that is  
26 compatible with a wind farm is agriculture because what other land use could go up to the base of a tower  
27 and not be a problem.

28  
29 Mr. Moser stated that he does not know this for a fact but some of those cases where an adjacent landowner  
30 does not want the wind tower in the proposed location was compensated the same amount of money as the  
31 subject property landowner from the company. He said that this only makes good sense on the part of the  
32 developer because if they want to share the wealth then that is fine and in some of the cases they almost have  
33 to in order to keep this project moving forward.

34  
35 Mr. Hall stated that he would like to point out two things about the proposed location in northeast  
36 Champaign County: 1. there is an isolated tract of CR zoning that the proposed wind farm will include and  
37 he would never propose to allow wind farms in the CR district. He said that he is aware of that particular  
38 tract and he would recommend that the tract be rezoned at whatever time the wind farm is actually proposed;  
39 2. the proposed wind farm will completely surround the area of Dailey where there is a grain elevator and a  
40 fertilizer plant. He said that one special use permit completely surrounding other land uses makes him eager  
41 to see what they are actually proposing in the way of tracts of land that are part of the special use permit. He  
42 said that out of 1,000 square miles of Champaign County where they could have proposed the wind farm he

1 is sorry that those two things are right in the middle of the wind farm.  
2  
3 Mr. Moser stated that the Dailey Grain Elevator is closed and he believes that they will be glad to close the  
4 fertilizer plant also.  
5  
6 Ms. Anderson requested clarification of the proposed location of the wind farm.  
7  
8 Mr. Hall stated that the Dailey Grain Elevator is 2.5 miles north of Royal on the slab between Royal and  
9 Penfield. He said that the property is an old pasture and it appears to be much eroded in places and is along  
10 a stream.  
11  
12 Ms. Wysocki asked if the area would eventually be rezoned to an industrial district.  
13  
14 Mr. Hall stated that he would not propose wind farms in the CR district and if there is any portion that is  
15 suitable for a wind farm it should be rezoned to AG-1.  
16  
17 Mr. Jones asked Mr. Hall how the 1,000 foot separation distance was derived.  
18  
19 Mr. Hall stated that the 1,000 foot separation is recommended by the *Model Ordinance* and one of the  
20 promotional brochures talks about 750 to 1,000 feet being the distance that is normally required for the  
21 sound to diminish enough to where it is not distinguishable from other landscape sounds. He said that 900  
22 feet is also what he would recommend for the buffer from the wind turbine tower to the edge of the special  
23 use permit. He said that the average lot width in the AG-1 district is 200 feet therefore there will be some  
24 flexibility on placement of a home on a new parcel of land. He said that this will have to go through a public  
25 hearing at the Zoning Board of Appeals and the Board will be looking at these numbers a lot and what comes  
26 back to ELUC may be somewhat different based on the Zoning Board.  
27  
28 Mr. Hall stated that he agrees with the point that Ms. Schildt made earlier that the distance from the wind  
29 turbines to the perimeter of the development is just as important as the distance from the wind turbines to  
30 any existing or future homes because the concerns are the same.  
31  
32 Mr. Langenheim stated that the wind turbines are so large and excessive that they completely alter the aspect  
33 of the environment for miles around and people that are within sight of it should have some route for  
34 expressing their opinions.  
35  
36 Mr. Hall stated that, from a staff level, one reason why we did not go with a map amendment is because the  
37 wind turbines are so tall whether you are right next to it or two miles away.  
38  
39 Mr. Langenheim stated that he agrees that people who are two miles away from a wind turbine are affected.  
40 He said that the wind turbines also effect the environment such as wildlife, bats, birds, bees, etc. He said  
41 that anyone that is affected by the wind turbine should have an input on the permitting process.  
42

1 Ms. Wysocki asked Mr. Langenheim if he would like to make a motion.

2  
3 Ms. McGrath stated that it is not appropriate for the Committee to take any action on this agenda item until  
4 the ZBA has made a determination. She noted that the Committee must be very careful as to what they  
5 direct the Zoning Administrator to do before this issue goes to the ZBA.

6  
7 Mr. Hall stated that staff receives direction from ELUC every time a text amendment is proposed.

8  
9 Ms. McGrath stated that direction can be given but not by the means of a motion.

10  
11 Ms. Wysocki clarified that once the ZBA has made a final recommendation the text amendment will return  
12 to ELUC and if the map amendment is not part of that recommendation then ELUC may make a motion to  
13 that effect.

14  
15 Ms. McGrath stated yes. She said that ELUC can give the Zoning Administrator its input on the information  
16 that the Committee has reviewed at this point regarding the text amendment. She said that ELUC may voice  
17 their concerns and it may or may not make any difference to the ZBA.

18  
19 Mr. Hall asked Ms. McGrath if she understands that there is no text amendment at this time.

20  
21 Ms. McGrath stated yes, but you are close to a text amendment.

22  
23 Mr. Hall stated that this preliminary process is what is done every time a text amendment is being considered  
24 so that ELUC is not surprised when it comes back to them but the last time a text amendment was prepared  
25 and no direction was given by ELUC the text amendment was rejected.

26  
27 Ms. McGrath stated that the Committee can give direction but not in the form of a motion. She said that the  
28 whole purpose of the public hearing by the Zoning Board of Appeals is to give the opportunity for changes  
29 and clarifications before it returns the this Committee.

30  
31 Ms. Wysocki stated that at this point there is only one Committee member who is indicating that he would  
32 like to see a map amendment included with the text amendment regarding wind turbines.

33  
34 Ms. Wysocki stated that the text amendment must go to the Zoning Board of Appeals through public  
35 hearings and make changes pursuant to the comments and issues which come from staff and the public. She  
36 said that once the ZBA has taken action they will forward their recommendation to ELUC for comments and  
37 changes. She said that ELUC is not bound by what the ZBA determines but without a draft of the text  
38 amendment ELUC does not want to prejudge whatever action that the ZBA may take therefore  
39 compromising ELUC's position and authority on how this process works.

40  
41 Mr. Moser stated that Vermilion County is only one mile away from the proposed location of the wind farm  
42 development and if Champaign County does not want the wind turbines the developer will find a way to tie

1 in to the power line which is north of Royal and they will use the road that Champaign County helped build  
 2 for an ethanol plant that was never built. He said that it isn't going to make any difference whether it is one  
 3 mile inside of Champaign County or a mile east in Vermilion County because the wind turbines are going to  
 4 be seen and heard and they will exist. He said that if Champaign County doesn't want the wind turbines then  
 5 fine, but they are going to be one mile north of the forest preserve near Penfield. He said that if the other  
 6 counties want the wind turbines and Champaign County doesn't then fine but they are going to exist where  
 7 you can see them whether you want to or not.

8  
 9 Mr. Langenheim stated that the road that was built for the ethanol plant that was never built occurred  
 10 because there was a lot of enthusiasm for the plant when it was being proposed. He said that there is a lot of  
 11 enthusiasm for the wind turbines also but this enthusiasm must be tempered with careful analysis and  
 12 caution.

13  
 14 Mr. Moser noted to Mr. Langenheim that he can tell a landowner in Compromise or Kerr township what they  
 15 can do with their ground. He said that it is just wonderful that Mr. Langenheim can make a decision like that  
 16 for someone who owns a farm in this area who is interested in having a wind turbine on their land. He said  
 17 that the wind turbine would generate income for the people who own the ground and it is pretty damn petty  
 18 that the people on the Board can make decisions that affect the landowner's livelihood as much as these  
 19 wind turbines will.

20  
 21 Ms. Wysocki asked the Committee if anyone else had any comment regarding the map amendment.

22  
 23 Mr. Gladney stated that he is in agreement with the map amendment approach.

24  
 25 Ms. Wysocki stated that she would add her voice as well.

26  
 27 Ms. Anderson stated that the map amendment approach seems reasonable.

28  
 29 Ms. Wysocki asked the Committee if there were any other directions for Mr. Hall regarding this proposal.

30  
 31 Ms. Wysocki asked Mr. Hall if he required additional direction from the Committee.

32  
 33 Mr. Hall stated no.

34  
 35  
 36 **11. Monthly Report (June, July, August, September and October, 2008)**

37  
 38 Mr. Hall stated that staff has been accumulating a backlog of monthly reports that were to be reviewed at  
 39 tonight's meeting. He said that he distributed June, July, August and September to the Committee for  
 40 review. He said that he did not have the time to complete October's. He said that he is going to start  
 41 spending more time on the monthly report and updating the Committee on our compliance inspections. He  
 42 said that before 1998 there was always a list of compliance inspections that were completed in the previous

1 month and at the end of 1998 there was a major change in staffing in the department and the Committee has  
 2 not received a monthly report with compliance inspections attached since. He said that last year during the  
 3 budget process he made a goal that the department complete five inspections on average per week and this  
 4 summer the Zoning Technicians have had time to go out and complete inspections and if the October  
 5 monthly report was available for the Committee’s review it would be apparent that the department has met  
 6 that goal. He said that this is a minor thing but what it does indicate, and he is very proud of this, is that the  
 7 restructuring of the department which happened in January 2006 has benefited the County because we now  
 8 have been doing compliance inspections again and have met our goal for the year and he has every reason to  
 9 believe that this pattern will continue. He said that staff is not doing much better on enforcement due to our  
 10 Zoning Officer being out for a major surgery for the last six weeks but she is back and getting back up to  
 11 speed. He said that some enforcement was completed during her absence and he hopes that within the next  
 12 year the Committee is able to see that staff is continuing to focus on inspections and finally making a dent on  
 13 enforcement. He said that his goal for this year is to stop the growth in the backlog of enforcement cases.  
 14 He said that this goal will be a challenge but he does believe that staff can stop the growth and hopefully  
 15 start to make those numbers go down.

16  
 17 Mr. Hall stated that permitting in September dropped off but zoning cases did not. He said that staff took in  
 18 twice as many zoning cases in September as was taken in last September. He said that if the Committee  
 19 reviews the number of cases completed by the ZBA the report indicates that the same number of cases were  
 20 completed this year as in last year. He said that what this means is that we are starting to build up a ZBA  
 21 docket again. He said that currently staff is docketing cases for January 2009 which is much better than what  
 22 it has been in previous years. He anticipates a drop in case load but it hasn’t happened yet.

23  
 24 Ms. Wysocki stated that she just realized that the Committee did not give the Zoning Administrator direction  
 25 regarding the fees for the wind farm development.

26  
 27 Mr. Hall stated that he is not sure at this point what type of direction he can ask for from the Committee  
 28 therefore he is going to go with the recommended alternative included in the November 10, 2008,  
 29 memorandum regarding Zoning Ordinance requirements for wind farms. He said that if ELUC members  
 30 would like to make any comments he will make note of those comments.

31  
 32 Ms. Wysocki stated that the fees are subject to the public hearing at the ZBA and after their determination  
 33 the entire package will return to ELUC for recommendation.

34  
 35 Mr. Hall stated that Ms. Wysocki was correct.

36  
 37

- 38 **12. Old Business**
- 39 **A. County Board Chair Discussion of Ordinance No. 836 Amending the Enterprise Zone**
- 40 **on property located at 1400 Anthony Drive, Champaign, also known as the**
- 41 **International Society of Arboriculture (ISA)**
- 42

1 Mr. Weibel stated that at the time of the request for the Enterprise Zone Amendment there was a buyer for  
 2 the property but the buyer backed out. He said that the City of Champaign has indicated that there is another  
 3 buyer in mind but they wanted to make sure that the County had no concerns regarding this issue. He said  
 4 that if no one has any concerns he will sign Ordinance No. 836 and move forward.

5  
 6 Mr. Kurtz stated that since the property is located in the middle of the Enterprise Zone it is still a good  
 7 incentive for someone to come in and purchase the property and improve the one lot. He said that he sees no  
 8 reason why the designation should be changed.

9

10 **13. Other Business**

11  
 12 None

13

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

15  
 16 **The consensus of the Committee was to place Items #7, 8 and 9 on the County Board Consent Agenda.**

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18 **15. Adjournment**

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 20 **The meeting adjourned at 7:58 p.m.**

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Respectfully submitted,

Secretary to the Environment and Land Use Committee

eluc\minutes\minutes.fm

My name is Sherry Schildt and I am speaking for both myself and my husband, Herb, who couldn't be here at this time because of a scheduling conflict. He may be able to attend later if his township board meeting ends early enough.

I have come to express some concerns regarding the proposed text amendment pertaining to wind farms. Our main concern is that the County not rush into something that has such a profound impact on the land and the quality of life of its residents. Although wind turbines are expected to play a role in supplying our nation's energy needs, we believe that their placement in Champaign County must be carefully analyzed so as to protect the rights of all landowners and to maintain the high quality of life that we all enjoy.

There are two key points to understand about commercial wind turbines.

1. They are very large. They tower over the landscape in a way like nothing else does in rural Champaign County. They are easily visible from over 15 miles away. Within 5 miles they dominate the horizon. A house that is within 1,000 feet of a wind turbine (which is the separation distance being proposed) is simply dwarfed. This can be verified by taking a short drive towards Saybrook in McLean County. As you will see, the effects of a wind farm are felt by a very large number of people.
2. Wind turbines are commercial power plants, which are located hundreds of feet in the air, with a typical overall height of 400 feet or more. They make noise. They strobe the sunlight as they rotate during sunrise and sunset. They require on-going maintenance. Depending upon conditions and design, the tip speed of their rotors can approach 170 miles per hour or more. In addition, there is growing concern about the adverse health effects and safety of wind turbines. In short, commercial wind turbines constitute industrial scale power production that greatly impacts the surrounding area.

Because commercial wind turbines are for-profit, industrial power generators, we believe that their installation should be subject to the approval of all affected property owners, townships, and municipalities. And, that the final decision to site a wind turbine should require a County Board vote. This is important because wind farms have such a large impact on the county as a whole. It seems only fitting that they be subject to County Board approval.

Regarding the proposed text amendment, we believe that it has several problems. Here are three.

1. The proposed amendment currently requires only a Special Use permit to site a wind turbine. This is not adequate. Instead, a Special Use permit and a Map Amendment should be required to site one. This will give neighboring landowners, townships, and municipalities a say on whether a wind turbine is appropriate in their location, and the ability to formally protest it if they believe

that it isn't. It will also require County Board approval to authorize the wind turbine.

2. All affected landowners must be compensated for the negative effects of a commercial wind farm. The current proposal does not require this. It's a simple idea: one person should not profit at the expense of another.
3. The proposed 1,000 foot setback is insufficient. A much larger setback is needed. Furthermore, the setback from a property line must be equal to or greater than the setback from a dwelling or principal use. Otherwise, an adjacent landowner could be deprived of the ability to establish a use on a portion of his or her land because of a wind turbine located on a neighbor's property.

Simply put: a wind farm in Champaign County will fundamentally and profoundly change the character of the county. Furthermore, it is our view that given the population density, topography, and unique character of Champaign County, commercial wind turbines are inappropriate and we urge you to not allow them. In any event, a decision to allow commercial, for-profit wind turbines must not be entered into hastily, and above all, the rights of all landowners must be protected.

# BusinessWeek

THE ASSOCIATED PRESS October 24, 2008, 6:01PM ET

## Wind turbine blade crashes down in Illinois field

By DAVID MERCER

An India-based company that made a wind turbine that broke and dropped a 6.5-ton blade into an Illinois corn field this week says it is fixing blades on more than 400 turbines -- most of them in the U.S. -- that could have similar problems.

Suzlon Energy Ltd. says its fiberglass-coated turbine blades can develop cracks because of a design flaw, something the company says it can fix by adding more fiberglass.

Suzlon said in March that it expected to spend \$25 million on the project, but didn't say how long it would take.

The turbine that lost a blade in Wyanet, Ill., about 55 miles north of Peoria, was set to be worked on next week, said Richard Shertz; he lives on and farms the property where that turbine and three others -- also due to be worked on -- stand.

"I didn't even know what had happened," Shertz said on Friday. "I stepped out the door here at the house and heard a terrific noise. I couldn't figure out what it was -- 'Crash! bang!'"

The blade, which the company says is about 140 feet long, flew at least 150 feet away from the turbine and landed in the corn field, Shertz said. No one was hurt and nothing was damaged.

The turbines are owned by a company called AgriWind, said a spokeswoman for Suzlon Energy's Chicago subsidiary, Suzlon Wind Energy Corp. A phone listing for that AgriWind could not be located.

Suzlon Energy says the Illinois accident is the second involving one of its turbines in the past year. Similarly, a blade on a turbine in Minnesota broke loose. No one was injured and nothing was damaged in that incident, either, the company said.

About 30,000 turbines are operating in the U.S., according to the American Wind Energy Association, and, with the push to find alternative energy, more are being added all the time in windy areas like central and northern Illinois.

Proposals that would added dozens of new turbines have been floated this year across the state.

The American Wind Energy Association doesn't track turbine failures, but says that, based on anecdotal evidence, accidents are relatively rare.

"Wind turbine failures do happen," association spokeswoman Christine Real de Azua said. "They're subject to what can be a challenging environment.

"Overall, the record is very strong in terms of safety and reliability."

According to the Department of Labor, there have been 75 wind-turbine accidents involving injuries since 1972

## Searsburg windmill collapses

*There are 11 wind turbines at Green Mountain Power's Searsburg wind facility but recently one of them suffered a setback when its nacelle (or wind turbine gearbox) collapsed in high wind conditions. ...On Monday, September 15, a blade on turbine number 10 came in contact with the tower. The chain reaction caused it to buckle and it crashed to the ground, scattering debris several hundred feet from the structure. No individuals were hurt when the nacelle collapsed. However the nacelle leaked 40 gallons of hydraulic oil on the site.*

*October 23, 2008 by Christian Avard in Deerfield Valley News*

There are 11 wind turbines at Green Mountain Power's Searsburg wind facility but recently one of them suffered a setback when its nacelle (or wind turbine gearbox) collapsed in high wind conditions. Now Green Mountain officials are wondering whether to replace it, since tower manufacturers no longer make the model.

On Monday, September 15, a blade on turbine number 10 came in contact with the tower. The chain reaction caused it to buckle and it crashed to the ground, scattering debris several hundred feet from the structure. No individuals were hurt when the nacelle collapsed. However the nacelle leaked 40 gallons of hydraulic oil on the site.

According to Green Mountain Power spokesperson Dottie Schnure, half of the oil leaked was contained while the rest was cleaned on site by the Agency of Natural Resources. Schnure said the hydraulic oil was extremely heavy and only able to migrate about 2.5 feet to three feet until it hit bedrock. All the soil affected by the spill was dug up and removed from the site and there was no report that oil seeped into surface water. The estimated cost of the oil cleanup and soil disposal is \$10,000. Green Mountain Power notified the state immediately when the accident occurred, however residents were not in the loop. That left some residents and some critics ill at ease.

"Why didn't they tell anyone? It was purely by chance that we found out about it," said Lisa Linowes, of the Industrial Wind Action Group. "They say the turbines are designed to withstand high winds in difficult climate conditions but the truth is the life expectancy of these turbines is simply not known."

The blade that made contact with the tower had been struck by lightning in January 2008. Schnure said new blades of this size are no longer manufactured, so the blade was repaired on site and placed back on the turbine in July. The winds on September 15 were remnants of Hurricane Ike and they were the strongest winds that have occurred since the blade was reinstalled. Schnure also mentioned that the other 10 turbines did not encounter any problems and the problem may have been due to wear and tear.

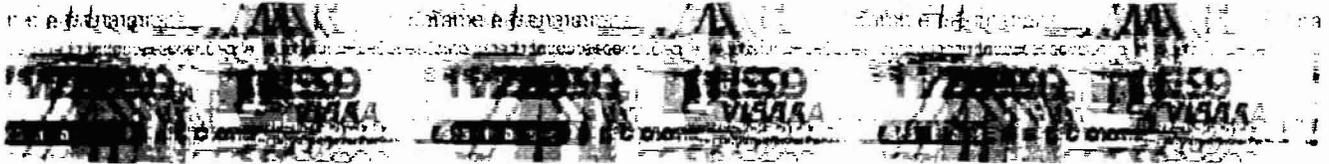
However Linowes said that the turbines on site were supposed to withstand winds much worse than those of September 15. Linowes speculated that if the accident did have to do with wear and tear then the turbines are not meeting expectations. "The turbines are supposed to last for more than 20 years and the turbines there were installed in 1997," said Linowes. "We don't know the life of these turbines and we also can't anticipate what kinds of failures will occur in the future."

Schnure, on the other hand, said accidents like these are rare and in the long run the Searsburg wind project has been efficient in terms of producing electricity. "It's been fairly close to what we anticipated, 11-12 million kilowatts per hour a year," said Schnure. "That is good locally-produced non-emission power."

Green Mountain Power is conducting an economic analysis of whether to replace the turbine. Wind mill manufacturers no longer make the models currently on site, but Schnure said there may still be alternatives available. "We're looking to see if there are any blades removed for any reason that would be available to install," said Schnure. "We will look at the cost of replacement parts, how long it's expected to run, and how long we're expected to run the whole plant."

Iberdrola Renewables is pursuing a certificate of public good to build 17 new windmill turbines on Searsburg and Readsboro ridgelines. Should the project receive approval from the Public Service Board, Green Mountain Power said they will continue to operate the windmills in conjunction with Iberdrola

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# Neighbors at odds over noise from wind turbines

By Judy Keen, USA TODAY

BROWNSVILLE, Wis. — Not long after the wind turbines began to spin in March near Gerry Meyer's home, his son Robert, 13, and wife, Cheryl, complained of headaches.

They have trouble sleeping, and Cheryl Meyer, 55, sometimes feels a fluttering in her chest. Gerry is sometimes nauseated and hears crackling.

The culprit, they say, is the whooshing sound from the five industrial wind turbines near the 6-acre spread where they have lived for 37 years. "I don't think anyone should have to put up with this," says Gerry Meyer, who compares the sound to a helicopter or a jet taking off.

As more turbines are built, the noise they create is stirring debate. Industry groups such as the American Wind Energy Association say there's no proof they make people sick, but complaints of nausea, insomnia and other problems have surfaced near wind farms across the USA.

Nina Pierpont, a pediatrician in Malone, N.Y., calls the ailments Wind Turbine Syndrome and is writing a book on them. In the preface, which she shared with USA TODAY, she says the syndrome "is an industrial plague. It is man-made and easily fixed. Proper setbacks are the best cure."

Laurie Jodziewicz, siting manager for the American Wind Energy Association, says there are almost 15,000 wind turbines in the USA, and most people live near them "without incident. ... We would have heard if this was a widespread issue."

The nearest turbine is 1,560 feet from Meyer's house. His dismay over an energy source he once thought was benign has made the retired mailman, 59, an activist. He travels the state warning communities considering wind farms to be wary.

## Studies have mixed results

One of the nation's first nuisance lawsuits against a wind farm ended with rulings in 2006 in favor of the company that developed it after landowners near the Abilene, Texas, project objected to turbine noise.

Objections to wind farms continue to be raised:

- Pierpont's website, [www.windturbinesyndrome.com](http://www.windturbinesyndrome.com), includes reports of illness from Union, Ore.; Mars Hill, Maine; Saginaw, Texas; King City, Mo.; and elsewhere.

Wendy Todd, who lives 2,500 feet from a turbine in Mars Hill, says she suffers sleep deprivation, and her neighbors have headaches and dizziness. "You just can't get used to it," she says of the noise.

- British physician Amanda Harry said in a 2007 study that people living near turbines can experience anxiety, depression, vertigo and

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tinnitus.

• Mariana Alves-Pereira, a Portuguese acoustical engineer, said in a 2007 study that turbines can cause vibroacoustic disease, which can lead to strokes and epilepsy.

A 2008 study funded by the European Union, however, found that the sound annoys many people, but it doesn't affect health "except for the interruption of sleep."

Some of Meyer's neighbors don't understand the fuss. People who say the noise makes them ill are exaggerating, says Rudy Jaeger, 67, who has a turbine on his farm. "It's no worse than traffic driving by." Francis Ferguson, chairman of the Byron Town Board, which voted to approve the project here, has heard talk that the sound makes people sick, but says, "I haven't seen any documentation."

The American Wind Energy Association would like to see "a credible, third-party" scientific study, Jodziewicz says. Setbacks are settled between developers and communities, and there's no industry standard, she says.

Susan Dennison, spokeswoman for Invenergy, the Chicago company that built the 86-turbine wind farm here, says it hasn't received any complaints about health problems in the area.

The turbines here, which are 389 feet tall including blades, must be 440 feet from property lines and at least 1,000 feet from homes, she says.

#### Concerns over home values

Eric Rosenbloom of National Wind Watch, an information clearinghouse, says noise and health concerns are the top issues in communities considering them. The group recommends 1-mile setbacks from homes.

Rick James, an acoustical engineer from Okemos, Mich., suggests keeping turbines 1¼ miles from homes.

That makes sense to Larry Wunch, a firefighter who lives a few miles from the Meyers. Turbines encircle his property, and when the wind tops 15 mph, he says, they "just scream." The closest is 1,100 feet from his house.

Wunch says he and his wife, Sharon, "have lost sleep and are irritated." He worries his home's value has declined and says the wind farm has created tension between opponents and those who have them on their property in exchange for annual payments that Dennison says are about \$5,000 a year. "It's really turned our township upside down," Wunch says.

"If it's affecting your health," Meyer says, "it's hard to ignore."

#### Find this article at:

[http://www.usatoday.com/money/industries/energy/2008-11-03-windturbines\\_N.htm](http://www.usatoday.com/money/industries/energy/2008-11-03-windturbines_N.htm)

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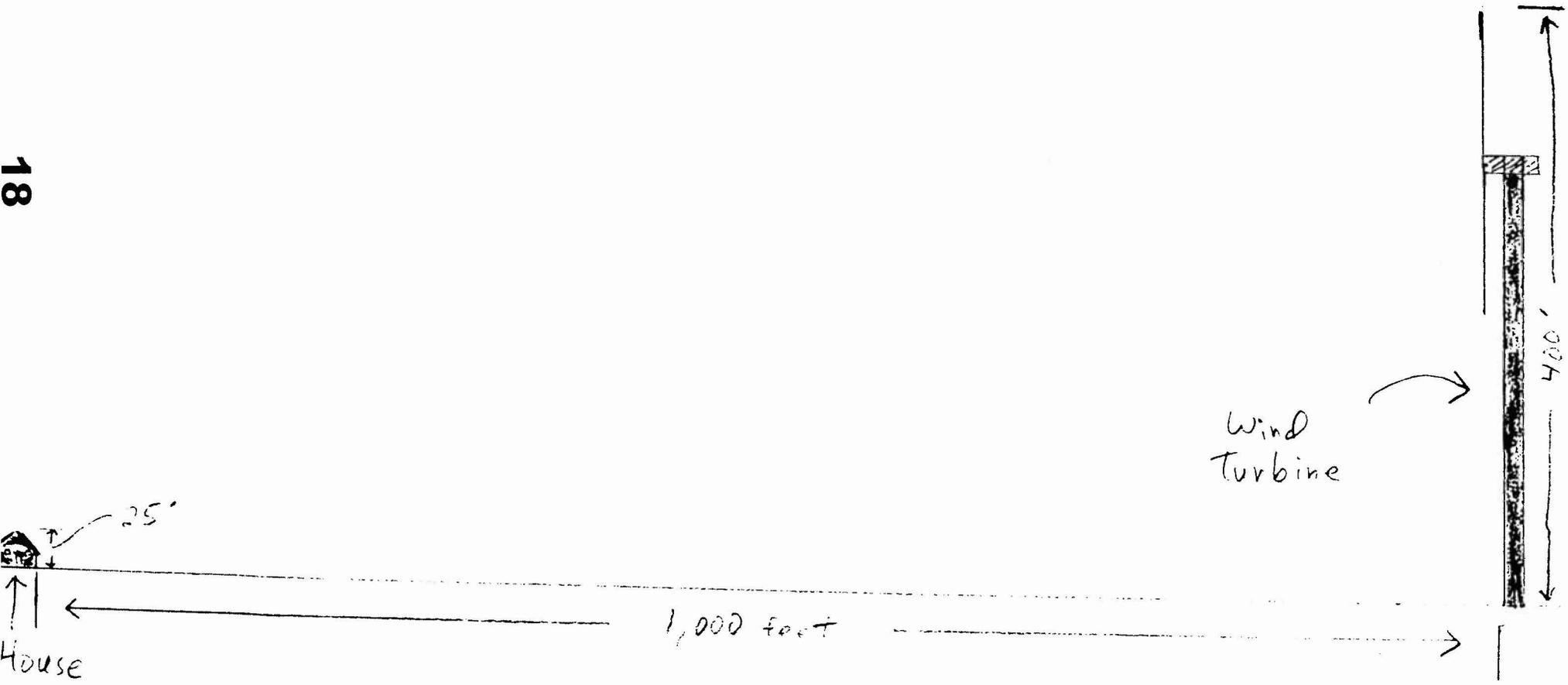
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How a wind turbine with an overall height of approximately 400 feet compares to a 25 foot tall house at a distance of 1,000 feet. (Scale: 1 inch equals approximately 100 feet.)

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# **SUBJECT TO APPROVAL**

## **MINUTES OF SPECIAL MEETING**

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**Champaign County Environment & Land Use Committee**  
**Champaign County Brookens Administrative Center**  
**Urbana, IL 61802**

**DATE:** December 18, 2008  
**TIME:** 6:15 p.m.  
**PLACE:** Jennifer Putman Meeting Room  
Brookens Administrative Center  
1776 E. Washington Street  
Urbana, IL 61802

---

**MEMBERS PRESENT:** Carol Ammons, Jan Anderson, Chris Doenitz, Matthew Gladney, Brad Jones, Ralph Langenheim, Alan Kurtz (VP), Jon Schroeder, Barbara Wysocki (C)

**OTHER COUNTY BOARD MEMBERS PRESENT:** None

**MEMBERS ABSENT:** Steve Moser

**STAFF PRESENT:** John Hall

**OTHERS PRESENT:** None

---

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

The meeting was called to order at 6:15 p.m. The roll was called and a quorum declared present.

### **2. Approval of Agenda and Addendum**

**Mr. Langenheim moved, seconded by Mr. Kurtz to approve the agenda and addendum as submitted. The motion carried by voice vote.**

### **3. Public Participation**

None

**4. Recreation and Entertainment License: Alto Vineyards, 4210 N. Duncan Rd, Champaign, IL. January 01, 2009 through December 31, 2009.**

**5. Recreation and Entertainment License: Curtis Orchard LTD, 3902 S. Duncan Rd, Champaign, IL. January 01, 2009 through December 31, 2009.**

**DRAFT**

- 1
- 2 6. Recreation and Entertainment License: Uncle Buck’s Sports Bar Inc, 215 Lake of the Woods
- 3 Rd, Mahomet, IL. January 01, 2009 through December 31, 2009.
- 4
- 5 7. Recreation and Entertainment License: Shirley’s Oasis, 2705 CR 3000N, Penfield, IL.
- 6 January 01, 2009 through December 31, 2009.
- 7
- 8 8. Recreation and Entertainment License: Lake of the Woods Bar and Grill, 204 S. Prairieview
- 9 Rd, Mahomet, IL. January 01, 2009 through December 31, 2009.
- 10
- 11 9. Recreation and Entertainment License: Rock the Shed, Inc, 552 CR 2425N, Dewey, IL.
- 12 January 01, 2009 through December 31, 2009.
- 13
- 14 10. Recreation and Entertainment License: Tincup RV Park, Inc, 1715 E. Tincup Rd, Mahomet,
- 15 IL. January 01, 2009 through December 31, 2009.
- 16
- 17 4A. Hotel/Motel License: Motel 6, 1906 N. Cunningham Avenue, Urbana, IL. January 01, 2009
- 18 through December 31, 2009.
- 19
- 20 5A. Recreation and Entertainment License: Elmer’s Club 45, Inc. d.b.a. Club 45 Banquet Hall,
- 21 3515 N. Cunningham Avenue, Urbana, IL. January 01, 2009 through December 31, 2009.
- 22
- 23 7A. Recreation and Entertainment License: Honeybee Productions, Inc, d.b.a. Malibu Bay
- 24 Lounge, 3105 N. Cunningham Avenue, Urbana, IL. January 01, 2009 through December 31,
- 25 2009.
- 26
- 27 9A. Recreation and Entertainment License: Kams of Illinois, LLC, d.b.a. Pink House, 2698 CR
- 28 1600N, Ogden, IL. January 01, 2009 through December 31, 2009.
- 29

30 An omnibus motion was moved by Ms. Ammons, seconded by Mr. Kurtz to approve the Recreation  
 31 and Entertainment License, listed on the agenda, for the following:

- 32
- 33 Alto Vineyards
- 34 Curtis Orchard LTD
- 35 Uncle Buck’s Sports Bar
- 36 Shirley’s Oasis
- 37 Lake of the Woods Bar and Grill
- 38 Rock the Shed, Inc.
- 39 Tincup RV Park, Inc
- 40
- 41

42 The motion carried by voice vote.

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An omnibus motion was moved by Ms. Ammons, seconded by Ms. Anderson to approve the Recreation and Entertainment License and Hotel/Motel License, as listed on the addendum, for the following:

- Motel 6
- Elmer’s Club 45, Inc d.b.a Club 45 Banquet Hall
- Honeybee Productions, Inc, d.b.a. Malibu Bay Lounge
- Kams of Illinois LLC, d.b.a. Pink House

The motion carried by voice vote.

**15. Other Business**

None

**16. Adjournment**

The meeting adjourned at 6:16 p.m.

Respectfully submitted,

Secretary to the Environment and Land Use Committee

eluc\minutes\minutes.fm



# ILLINOIS ENVIRONMENTAL PROTECTION AGENCY

1021 NORTH GRAND AVENUE EAST, P.O. BOX 19276, SPRINGFIELD, ILLINOIS 62794-9276 - (217) 782-3397

JAMES R. THOMPSON CENTER, 100 WEST RANDOLPH, SUITE 11-300, CHICAGO, IL 60601 - (312) 814-6026

ROD R. BLAGOJEVICH, GOVERNOR

DOUGLAS P. SCOTT, DIRECTOR

To Whom It May Concern:

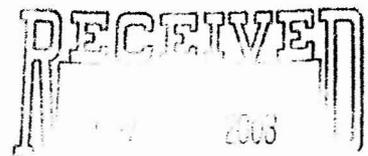
The federal Emergency Planning and Community Right-to-Know Act of 1986 (EPCRA), requires certain companies to report releases to the environment of more than 650 toxic chemicals. The 20<sup>th</sup> Annual Toxic Chemical Report documents reported releases of toxic chemicals in Illinois for calendar year 2006, the most recent data available.

The report is available on-line at: <http://www.epa.state.il.us/chemical-safety/toxic-chemical-report/2006/index.html> . If you would like additional copies mailed to you, please contact Deirdre McQuillen at 217-558-0073 or [Deirdre.McQuillen@illinois.gov](mailto:Deirdre.McQuillen@illinois.gov).

Thank you.

Very Truly Yours,

Douglas P. Scott  
Director



**ADMINISTRATIVE  
SERVICES**



**Questions & Answers: Champaign, Illinois, Manufactured Gas Plant Site  
Project Update Fact Sheet – December 2008**

The Ameren Illinois Utilities have completed an investigation into the environmental conditions at and around the location of its former manufactured gas plant (MGP) at 308 N. Fifth Street, Champaign. PSC, an environmental engineering firm under contract to Ameren, performed the work along the boundaries of our property and on nearby properties. The Illinois Environmental Protection Agency (Illinois EPA) and the U. S. EPA reviewed and approved the work plan for the sample collection, which was designed to provide more information about impacts to the environment from historical gas production operations. The results of this latest phase of the study confirmed previous findings that gas production byproducts, which are primarily coal tar, remain beneath the ground surface. These findings indicate additional cleanup will be needed at the site.

While the byproducts contain chemicals that may pose a health risk if people come into direct contact with them over a long period of time, the previous investigations and the 2008 investigation results raised no concerns that people have been exposed to MGP impacts now or in the past. The impacted areas are limited and the highest levels of impact are more than 10 feet below ground. The Ameren Illinois Utilities are working with the Illinois EPA to address the impacts that were found on and off of the former manufactured gas plant property.

This fact sheet updates the August 2008 fact sheet.

**Q: What is the history of the Champaign manufactured gas plant property?**

A: Predecessor companies of the Ameren Illinois Utilities produced gas from coal and oil on the property. The manufactured gas was stored in large, cylindrical above-ground holders before distribution to the community. Between the 1930s and early 1950s, the plant was used only occasionally to supplement natural gas. Most of the plant structures were removed from the property in the late 1950s, except for the booster house. An American Legion post used this building between 1979 and 1991, when Illinois Power, a company that became part of the Ameren Illinois Utilities in 2004, reacquired the property.

**Q: What residues were created during the gas manufacturing process?**

A: As with many industrial processes, gas manufacturing produced residues. Coal tars, coke, and ash were the primary residues of the gas manufacturing process. Both the

In order to meet Illinois EPA's revised cleanup requirements, in summer 2004, the contractor returned to the site to further investigate the northern portion of the manufactured gas plant site and adjacent property to the north and east. Workers used boring equipment to collect soil samples and a backhoe to excavate areas where former gas manufacturing structures had been located. As with previous investigations, the air was monitored for vapors and dust whenever this work was being performed to protect the workers and neighborhood residents.

Workers returned to the site in spring 2008 to install more groundwater monitoring wells and collect additional soil and groundwater samples in response to the state and federal EPAs' comments on the Comprehensive Site Investigation Report of the 2004 work. The sampling was conducted under a work plan approved by the Illinois EPA and USEPA.

**Q: What are the major findings of the 2008 Comprehensive Site Investigation Report?**

**A:** Major conclusions of the report are:

- There are impacts to soil on the Ameren Illinois Utilities property from historic manufactured gas operations that will require cleanup (remedial) work.
- There are impacts to soil offsite to the north, northwest and south that are unrelated to manufactured gas operations.
- The manufactured gas-related impacts to soil offsite to the north and northwest are at least three feet below the ground surface.
- The impact to the west of the property is in the 5<sup>th</sup> Street right-of-way and does not pose a risk for long term exposure.
- Groundwater has been impacted; however, no one uses this groundwater.
- Ameren's cleanup will address the manufactured gas impacts to soil and groundwater.

**Q: The Ameren Illinois Utilities have not identified any immediate exposure concerns from soil or groundwater data, but what about the possibility that vapors could enter nearby basements or crawlspaces?**

**A:** After review of the off-site investigation results, the Ameren Illinois Utilities selected three residential properties to evaluate the potential for indoor inhalation through basements or crawlspaces. The three residences were in the closest proximity to soil or groundwater impact beneath the surface of the soil. When evaluating the potential for vapors to enter a structure through the subsurface, both Illinois EPA and U.S. EPA guidance recommend collection of soil gas samples. A probe is inserted into the soil outside the structure and specialized equipment is used to collect a sample of the air that is in the soil between soil particles. This provides a better measure of the risk of exposure than indoor air sampling because indoor air already contains chemicals that would interfere with the assessment. These chemicals can include cigarette smoke, cooking odors, household cleaning chemicals, gasoline fumes from attached garages, etc. Though the Illinois EPA does not presently require such sampling, the Ameren

**Q: How may people in the community ask questions and offer opinions about this project?**

A: The Ameren Illinois Utilities are committed to open communication with those interested in the project. We will provide more information about the cleanup procedures and schedule before work begins in 2009. We have placed a collection of documents associated with the project in a **Site Information Repository** located at the Douglass Branch of the Champaign Public Library at 504 E. Grove Street. The telephone number of the library is 217-403-2090. Library hours are Monday – Thursday 10:00 a.m. until 8:00 p.m., Friday 10:00 a.m. until 6:00 p.m., Saturday 10:00 a.m. until 4:00 p.m.

Documents have also been placed at the Champaign City Building, located at 102 N. Neil Street, which is open from 8:00 a.m. to 5:00 p.m. on weekdays, unless otherwise posted. The report and fact sheets may be reviewed at the Information Desk located in the Atrium Lobby. If you have questions or the desk is temporarily un-staffed you may inquire at the Neighborhood Service Department in the same building or call 217-403-7070.

Information about the project can also be found on Ameren's Web site at [http://www.ameren.com/Environment/ADC\\_ChampaignMPGRemediationProject.asp](http://www.ameren.com/Environment/ADC_ChampaignMPGRemediationProject.asp).

Additional inquiries about the project can be made by calling Mr. Leigh Morris with the Ameren Illinois Utilities at 217-535-5228 or by e-mail at [lmorris@ameren.com](mailto:lmorris@ameren.com). His mailing address is Public Relations, Ameren Illinois Utilities, 200 W. Washington St., Springfield IL 62701.

Inquires regarding Illinois EPA's oversight of this project can be made by contacting Stan Black at 217-785-1427 or by e-mail at [stan.black@illinois.gov](mailto:stan.black@illinois.gov) His mailing address is Office of Community Relations, Illinois Environmental Protection Agency, PO Box 19276, Springfield, IL 62794-9276.

The city of Champaign has cooperated with the investigation and has provided oversight for the project in addition to the Illinois EPA. Champaign City Council District 1 Representative Gina Jackson has offered to assist neighboring residents who wish to obtain more information about the project. Those who wish to discuss the project with Ms. Jackson may contact her at 217-352-3199.



STATE OF ILLINOIS  
COUNTY OF CHAMPAIGN

ENTERTAINMENT, RECREATION,  
LODGING OF TRANSIENTS, AND RACEWAYS LICENSE

No. 2009-ENT-04  
\$100.00

**Hideaway of the Woods Grill & Bar**

License is hereby granted to Robert Slade of 2110 Gunn Dr, Champaign, IL to provide Recreation/Entertainment at 809 S. Prairieview Rd, Mahomet, IL in Champaign County from January 1, 2009 through December 31, 2009 . This License expires the day 1<sup>st</sup> of January at 12:01am.

Witness my Hand and Seal this 13<sup>th</sup> day of January, A.D. 2009.

\_\_\_\_\_  
Chairman, Champaign County License Commission

\_\_\_\_\_  
Mark Shelden, Champaign County Clerk



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

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

For Office Use Only

License No. 2009-ENT-04  
Date(s) of Event(s) YEARLY  
Business Name: HIDEAWAY OF THE WOODS  
BAR AND GRILL  
License Fee: \$ 100.00  
Filing Fee: \$ 4.00  
TOTAL FEE: \$ 104.00  
Checker's Signature: MS

**FILED**

DEC 17 2008

*Mark Sheldon*  
CHAMPAIGN COUNTY CLERK

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

Checks Must Be Made Payable To: Mark Sheldon, Champaign County Clerk

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

- A. 1. Name of Business: Hideaway of the Woods Grill & Bar  
2. Location of Business for which application is made: 809 S. Prairieview Rd  
P.O. Box 1158 Mahomet IL 61853  
3. Business address of Business for which application is made: \_\_\_\_\_  
4. Zoning Classification of Property: \_\_\_\_\_  
5. Date the Business covered by Ordinance No. 55 began at this location: \_\_\_\_\_  
6. Nature of Business normally conducted at this location: Restaurant & Bar  
7. Nature of Activity to be licensed (include all forms of recreation and entertainment to be provided): A.J. Karaoke Live Bands  
8. Term for which License is sought (specifically beginning & ending dates): \_\_\_\_\_

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

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

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

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

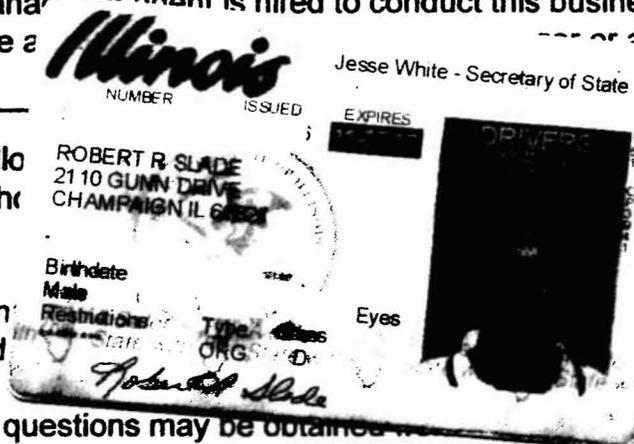
Name: \_\_\_\_\_ Date of Birth: \_\_\_\_\_  
 Place of Birth: \_\_\_\_\_ Social Security No.: \_\_\_\_\_  
 Residence Address: \_\_\_\_\_  
 Citizenship: \_\_\_\_\_ If naturalized, place and date of naturalization: \_\_\_\_\_

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

Information requested in the following section is required for an individual, or by all members who are partners in a partnership.

If the applicant is a corporation, the following information must be supplied for the corporation and its officers:

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



- C. 1. Name(s) of owner(s) or local manager(s) (include any aliases): Robert Slade  
Bobby  
 Date of Birth: \_\_\_\_\_ Place of Birth: Gibson City IL  
 Social Security Number: \_\_\_\_\_ Citizenship: U.S.  
 If naturalized, state place and date of naturalization: \_\_\_\_\_
2. Residential Addresses for the past three (3) years:  
2110 GUNN DR CHAMPAIGN IL 61821
3. Business, occupation, or employment of applicant for four (4) years preceding date of application for this license:  
Owner Hideaway of the Woods  
Grill & Bar 5 years  
Hideaway Restaurant & Bar 20 years

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

D. Answer only if applicant is a Corporation:

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

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

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

If, during the license period, a applicant MUST furnish the Co ten (10) days.

**Illinois**  
 NUMBER ISSUED EXPIRES  
 JEFFREY E SLADE  
 1305 E JEFFERY  
 MAHOMET IL 61853  
 Birthdate: \_\_\_\_\_  
 Male  
 Restrictions: \_\_\_\_\_ Type: \_\_\_\_\_ Class: \_\_\_\_\_  
 ORG D  
 Jesse White - Secretary of State  
 [Signature: JH Slade]

business, the per or agent within

Information requested in individual, or by all mem partnership.

he applicant, if an e applicant is a

If the applicant is a corp supplied for the corporation and for each officer.

ction D must be

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

C. 1. Name(s) of owner(s) or local manager(s) (include any aliases): Jeff Slade

Date of Birth: \_\_\_\_\_ Place of Birth: Gibson City ILLINOIS  
 Social Security Number: \_\_\_\_\_ Citizenship: U.S.  
 If naturalized, state place and date of naturalization: \_\_\_\_\_

2. Residential Addresses for the past three (3) years: 1305 Jeffery Dr. Mahomet Il 61853

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

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

Answer only if applicant is a Corporation:

- Name of Corporation exactly as shown in articles of incorporation and as registered: \_\_\_\_\_
- Date of Incorporation: \_\_\_\_\_ State wherein incorporated: \_\_\_\_\_

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

\_\_\_\_\_  
\_\_\_\_\_

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

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

\_\_\_\_\_  
\_\_\_\_\_

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

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

Name of Officer: Robert Slade Title: President

Date elected or appointed: August 2003 Social Security No.: \_\_\_\_\_

Date of Birth: \_\_\_\_\_ Place of Birth: Bloomington, Ill.

Citizenship: U.S.

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

Residential Addresses for past three (3) years:

2110 Dana Dr Champaign IL 61821

Business, occupation, or employment for four (4) years preceding date of application for this license: Restaurant & Bar Owner last 25 years

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

**AFFIDAVIT**

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

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

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

\_\_\_\_\_  
Signature of Owner or of one of two members of Partnership

\_\_\_\_\_  
Signature of Owner or of one of two members of Partnership

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

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

\_\_\_\_\_  
Notary Public

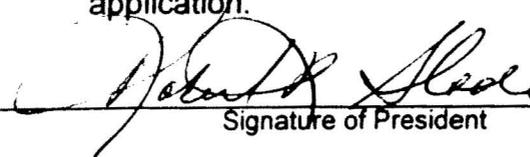
**AFFIDAVIT**

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

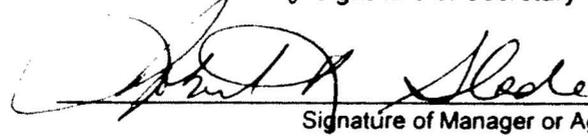
We, the undersigned, president and secretary of the above named corporation, each first being duly sworn, say that each of us has read the foregoing application and that the matters stated therein are true and correct and are made upon our personal knowledge and information, and are made for the purpose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

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

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

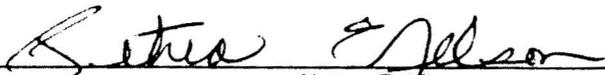
  
\_\_\_\_\_  
Signature of President

  
\_\_\_\_\_  
Signature of Secretary

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

Subscribed and sworn to before me this 17 day of Dec., 2008.



  
\_\_\_\_\_  
Notary Public



STATE OF ILLINOIS,  
Champaign County  
Recreation & Entertainment License  
Check List and Approval Sheet

**FOR ELUC USE ONLY**

County Clerk's Office

1. Proper Application Date Received: 12/17/08
2. Fee Amount Received: 104.00

Sheriff's Department

1. Police Record Approval: + Date: 12/18/08
2. Credit Check Disapproval: \_\_\_\_\_ Date: \_\_\_\_\_

Remarks: \_\_\_\_\_ Signature: J Doger

Planning & Zoning Department

1. Proper Zoning Approval: ✓ Date: 1/06/09
2. Restrictions or Violations Disapproval: \_\_\_\_\_ Date: \_\_\_\_\_

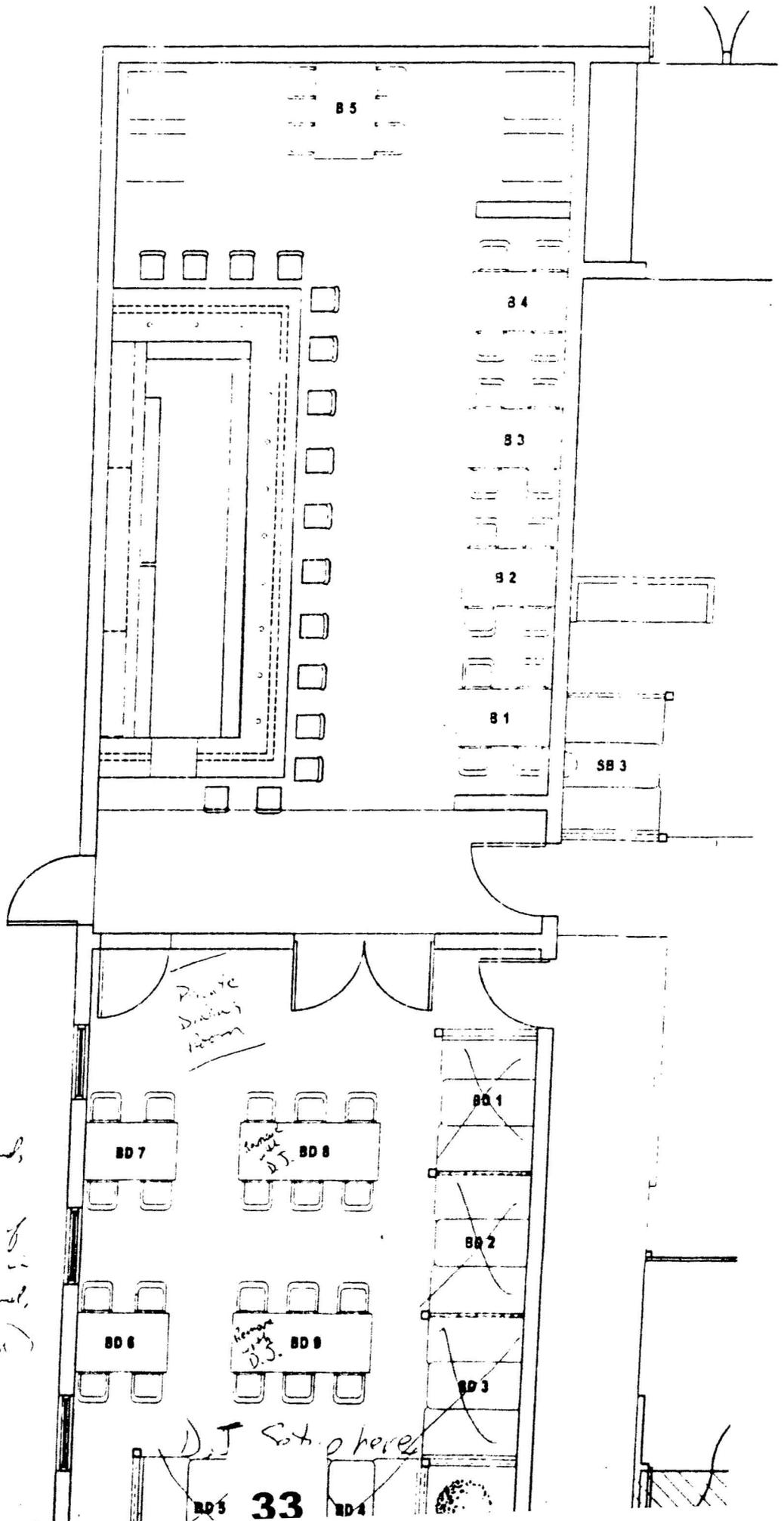
Remarks: B-3 DISTRICT Signature: [Signature] ZONING ADMINISTRATOR

Environment & Land Use Committee

1. Application Complete Approval: \_\_\_\_\_ Date: \_\_\_\_\_
2. Requirements Met Disapproval: \_\_\_\_\_ Date: \_\_\_\_\_

Signature: \_\_\_\_\_

Remarks and/or Conditions: \_\_\_\_\_



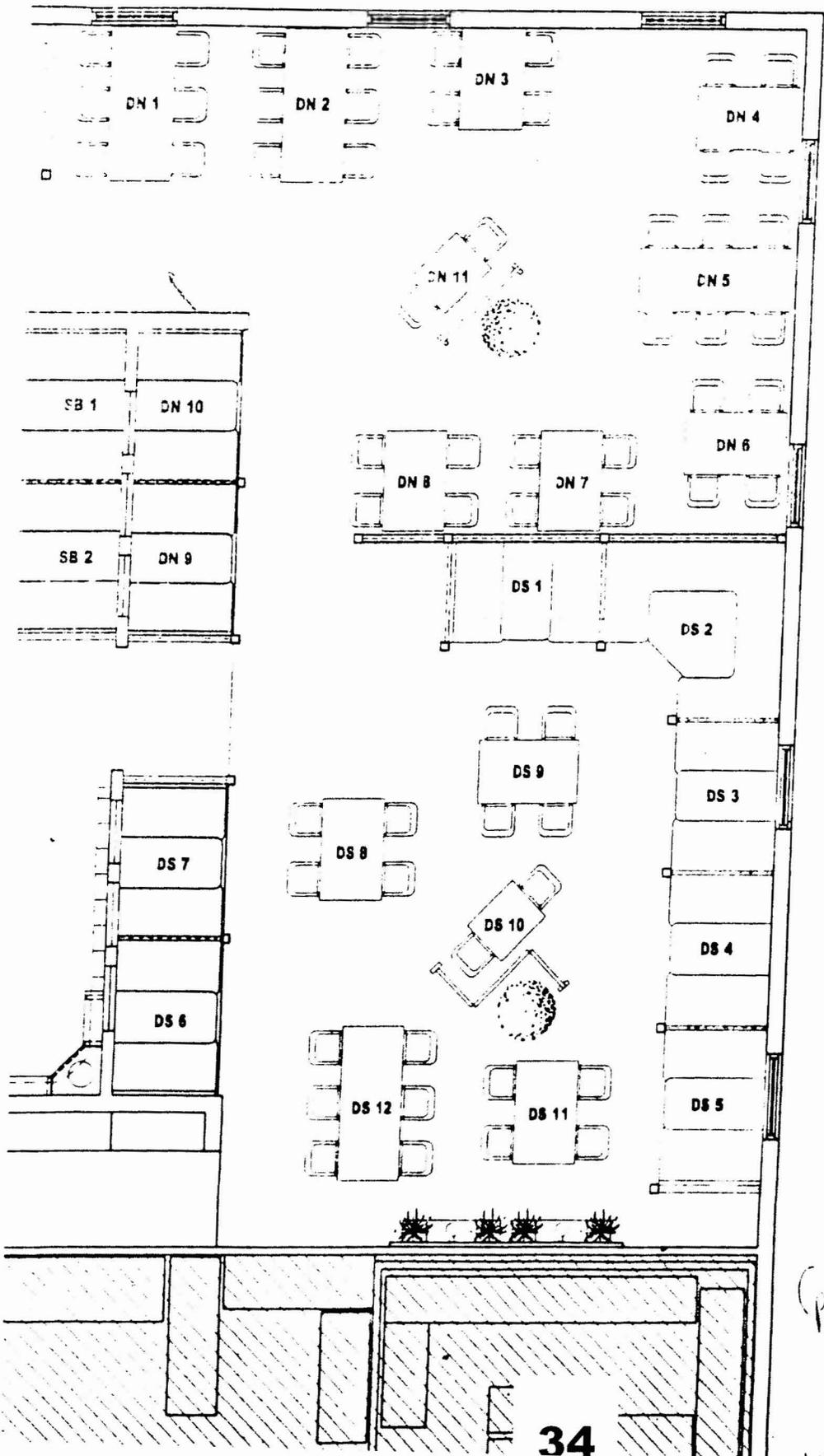
A Barrels have been removed,  
 now only tables. D.J.  
 setup in south wall of  
 Private Dining, tables in  
 center will be removed.

(Please print out approval)

D.J. Set up here

BD5 **33** BD4

Handwritten notes and arrows at the top left of the page, including a north arrow pointing upwards and some illegible scribbles.



*(Please show access to room)*





STATE OF ILLINOIS  
COUNTY OF CHAMPAIGN

ENTERTAINMENT, RECREATION,  
LODGING OF TRANSIENTS, AND RACEWAYS LICENSE

No. 2009-ENT-11  
\$100.00

**Last Call for Alchol, Inc.**

License is hereby granted to Sheri Rawlings of 116 East St, Penfield, IL to provide Recreation/Entertainment at 105 Main, Penfield, IL in Champaign County from January 1, 2009 through December 31, 2009 . This License expires the 1<sup>st</sup> day of January, 2010 at 12:01am.

Witness my Hand and Seal this 13<sup>th</sup> day of January, A.D. 2009.

\_\_\_\_\_  
Chairman, Champaign County License Commission

\_\_\_\_\_  
Mark Shelden, Champaign County Clerk



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

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

For Office Use Only

License No. 2009-ENT-11  
Date(s) of Event(s) Yearly  
Business Name: Last Call For Alcohol, Inc.  
License Fee: \$ 100.00  
Filing Fee: \$ 4.00  
TOTAL FEE: \$ 104.00  
Checker's Signature: [Signature]

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

Checks Must Be Made Payable To: Mark Shelden, Champaign County Clerk

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

- A. 1. Name of Business: Last Call for Alcohol Inc.  
2. Location of Business for which application is made: \_\_\_\_\_  
105 Main St. Penfield IL 61862  
3. Business address of Business for which application is made: \_\_\_\_\_  
105 Main St. Penfield IL 61862  
4. Zoning Classification of Property: Business  
5. Date the Business covered by Ordinance No. 55 began at this location: \_\_\_\_\_  
6. Nature of Business normally conducted at this location: \_\_\_\_\_  
Tavern/Bar  
7. Nature of Activity to be licensed (include all forms of recreation and entertainment to be provided): Bands, DJs, Karaoke  
8. Term for which License is sought (specifically beginning & ending dates): \_\_\_\_\_  
Jan - Dec 09  
(NOTE: All annual licenses expire on December 31st of each year)  
9. Do you own the building or property for which this license is sought? No  
10. If you have a lease or rent the property, state the name and address of the owner and when the lease or rental agreement expires: \_\_\_\_\_  
HBT-217 602 Country Dr. Champaign IL 61821  
11. If any licensed activity will occur outdoors attach a Site Plan (with dimensions) to this application showing location of all buildings, outdoor areas to be used for various purposes and parking spaces. See page 3, Item 7.

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

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

Name: Sheri Rawlings Date of Birth: \_\_\_\_\_  
Place of Birth: Peaton IL Social Security No.: \_\_\_\_\_  
Residence Address: 116 East St. Peanfield IL 61862  
Citizenship: US If naturalized, place and date of naturalization: \_\_\_\_\_

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

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

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

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

- C. 1. Name(s) of owner(s) or local manager(s) (include any aliases): Sheri Rawlings  
Date of Birth: \_\_\_\_\_ Place of Birth: Peaton IL  
Social Security Number: \_\_\_\_\_ Citizenship: US  
If naturalized, state place and date of naturalization: \_\_\_\_\_
2. Residential Addresses for the past three (3) years: 116 East St. Peanfield IL  
61862
3. Business, occupation, or employment of applicant for four (4) years preceding date of application for this license: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

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

D. Answer only if applicant is a Corporation:

1. Name of Corporation exactly as shown in articles of incorporation and as registered:  
Last Call for Alcohol, Inc
2. Date of Incorporation: 8-21-06 State wherein incorporated: IL

Recreation & Entertainment License Application  
Page Three

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

\_\_\_\_\_  
\_\_\_\_\_

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

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

105 Main St. Penfield IL 61862  
\_\_\_\_\_  
\_\_\_\_\_

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

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

Name of Officer: Sheri Rawlings Title: President  
Date elected or appointed: 8-21-06 Social Security No. \_\_\_\_\_  
Date of Birth: \_\_\_\_\_ Place of Birth: Paxton IL  
Citizenship: US  
If naturalized, **place** and **date** of naturalization: \_\_\_\_\_

Residential Addresses for past three (3) years: 116 East St. Penfield IL  
61862  
\_\_\_\_\_  
\_\_\_\_\_

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

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

**AFFIDAVIT**

(Complete when applicant is an Individual or Partnership)

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

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

\_\_\_\_\_  
Signature of Owner or of one of two members of Partnership

\_\_\_\_\_  
Signature of Owner or of one of two members of Partnership

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

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

\_\_\_\_\_  
Notary Public

**AFFIDAVIT**

(Complete when applicant is a Corporation)

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

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

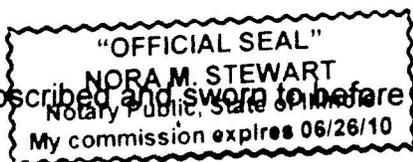
We further swear that we are the duly constituted and elected officers of said applicant and as such are authorized and empowered to execute their application for and on behalf of said application.

*Shane Rawlings*  
\_\_\_\_\_  
Signature of President

\_\_\_\_\_  
Signature of Secretary

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

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



*Nora M Stewart*  
\_\_\_\_\_  
Notary Public



STATE OF ILLINOIS,  
Champaign County  
Recreation & Entertainment License  
Check List and Approval Sheet

**FOR ELUC USE ONLY**

County Clerk's Office

- 1. Proper Application Date Received: 12-17-08
- 2. Fee Amount Received: \$100.00

Sheriff's Department

- 1. Police Record Approval: x Date: 12/18/08
- 2. Credit Check Disapproval: \_\_\_\_\_ Date: \_\_\_\_\_

Remarks: \_\_\_\_\_ Signature: J Voogw

Planning & Zoning Department

- 1. Proper Zoning Approval: ✓ Date: 1/06/09
- 2. Restrictions or Violations Disapproval: \_\_\_\_\_ Date: \_\_\_\_\_

Remarks: B-5 DISTRICT Signature: [Signature]

Environment & Land Use Committee

- 1. Application Complete Approval: \_\_\_\_\_ Date: \_\_\_\_\_
- 2. Requirements Met Disapproval: \_\_\_\_\_ Date: \_\_\_\_\_

Signature: \_\_\_\_\_

Remarks and/or Conditions: \_\_\_\_\_



STATE OF ILLINOIS  
COUNTY OF CHAMPAIGN

ENTERTAINMENT, RECREATION,  
LODGING OF TRANSIENTS, AND RACEWAYS LICENSE

No. 2009-02D-06  
\$30.00

**Gordyville LLC**

License is hereby granted to Gordyville LLC of 2205 CR 3000 N, Gifford, IL to provide Recreation/Entertainment at 2205 CR 3000 N, Gifford, IL in Champaign County on January 15, 16 & 17, 2009 . This License expires the 18<sup>th</sup> day of January, 2009 at 12:01am.

Witness my Hand and Seal this 13<sup>th</sup> day of January, A.D. 2009.

\_\_\_\_\_  
Chairman, Champaign County License Commission

\_\_\_\_\_  
Mark Shelden, Champaign County Clerk



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

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

For Office Use Only

License No. 2009-02D-06  
Date(s) of Event(s) JAN. 15, 16 + 17, 2009  
Business Name: GORDVILLE U.S.A.  
License Fee: \$ 30.00  
Filing Fee: \$ 4.00  
TOTAL FEE: \$ 34.00  
Checker's Signature: [Signature]

Filing Fees: Per Year (or fraction thereof): \$ 100.00  
Per Single-day Event: \$ 10.00 x 3 = 30.  
Clerk's Filing Fee: \$ 4.00 + 4 = 34.

Checks Must Be Made Payable To: Mark Shelden, Champaign County Clerk

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

- A. 1. Name of Business: Gordville LLC
- 2. Location of Business for which application is made: PIA # 490  
2205 CR 3000N, GIFFORD, IL 61847
- 3. Business address of Business for which application is made: 2205 CR 3000N GIFFORD, IL 61847
- 4. Zoning Classification of Property: BUSINESS
- 5. Date the Business covered by Ordinance No. 55 began at this location: \_\_\_\_\_
- 6. Nature of Business normally conducted at this location: Auctions, horse shows, flea markets, AG shows
- 7. Nature of Activity to be licensed (include all forms of recreation and entertainment to be provided): TRACTOR Pull
- 8. Term for which License is sought (specifically beginning & ending dates): JANUARY 15-17, 2009

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

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

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

Recreation & Entertainment License Application  
Page Two

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

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

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

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

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

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

- C. 1. Name(s) of owner(s) or local manager(s) (include any aliases): \_\_\_\_\_  
 Date of Birth: \_\_\_\_\_ Place of Birth: \_\_\_\_\_  
 Social Security Number: \_\_\_\_\_ Citizenship: \_\_\_\_\_  
 If naturalized, state place and date of naturalization: \_\_\_\_\_
- 2. Residential Addresses for the past three (3) years: \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_
- 3. Business, occupation, or employment of applicant for four (4) years preceding date of application for this license: \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_

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

D. Answer only if applicant is a Corporation.

- 1. Name of Corporation exactly as shown in articles of incorporation and as registered: Cardville LLC
- 2. Date of Incorporation: 12/25/04 State wherein incorporated: Illinois

Recreation & Entertainment License Application  
Page Three

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

*NA*

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

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

5. Objects of Corporation, as set forth in charter: *Auctions, horse shows, flea markets etc.*

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

Name of Officer: *Johanna M. Guigan* Title: *Part owner*

Date elected or appointed: \_\_\_\_\_ Social Security No.: \_\_\_\_\_

Date of Birth: *4* Place of Birth: *Champaign, IL*

Citizenship: *USA*

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

Residential Addresses for past three (3) years: *4904 Peiper Ln  
Champaign IL 61822*

Business, occupation, or employment for four (4) years preceding date of application for this license: *Partner/employed by Gordville LLC*

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

*No outdoor area to be used except parking  
40 acres parking  
Event all indoor.*

Recreation & Entertainment License Application  
Page Three

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

NA

Give first date qualified to do business in Illinois: —

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

\_\_\_\_\_

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

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

Name of Officer: JAMES J. HANNON Title: part owner  
Date elected or appointed: \_\_\_\_\_ Social Security No.: \_\_\_\_\_  
Date of Birth: \_\_\_\_\_ Place of Birth: Champaign IL 61847  
Citizenship: USA  
If naturalized, place and date of naturalization: NA

Residential Addresses for past three (3) years: \_\_\_\_\_

201 E Summit  
Champaign IL 61847

Business, occupation, or employment for four (4) years preceding date of application for this license: FORRYNCE LLC AUCTIONEER-MANAGER

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

NO OUTDOOR AREA TO BE USED EXCEPT FOR PARKING.  
40 ACRES PARKING.  
EVENT ALL INDOOR.

Recreation & Entertainment License Application  
Page Three

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

NA

Give first date qualified to do business in Illinois: —

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

\_\_\_\_\_

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

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

Name of Officer: JOHN G. HANNAGAN II Title: PART OWNER

Date elected or appointed: \_\_\_\_\_ Social Security No.: \_\_\_\_\_

Date of Birth: \_\_\_\_\_ Place of Birth: Champaign, IL

Citizenship: USA

If naturalized, place and date of naturalization: NA

Residential Addresses for past three (3) years: \_\_\_\_\_

2444 CR 2700N  
ELSFORD IL 61847

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

COMP. IN CARPENTRY LLC

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

NO OUTDOOR AREA TO BE USED EXCEPT FOR PARKING.

40 ACRES PARKING.

EVENT ALL INDOOR.

Recreation & Entertainment License Application  
Page Three

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

NA

Give first date qualified to do business in Illinois: —

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

\_\_\_\_\_  
\_\_\_\_\_

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

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

Name of Officer: PATRICIA A. FRIEDS Title: Part owner  
Date elected or appointed: \_\_\_\_\_ Social Security No.: \_\_\_\_\_  
Date of Birth: \_\_\_\_\_ Place of Birth: Champaign, IL  
Citizenship: USA  
If naturalized, place and date of naturalization: NA

Residential Addresses for past three (3) years: \_\_\_\_\_

2757 CR 2100N  
Champaign, IL

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

SELF EMPLOYED - HAIR STYLIST  
BEAUTICIAN  
BEAUTY LLC

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

NO OUTDOOR AREA TO BE USED EXCEPT FOR PARKING.  
40 ACRES PARKING.  
EVENT ALL INDOOR.

Recreation & Entertainment License Application  
Page Three

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

NA

Give first date qualified to do business in Illinois: —

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

\_\_\_\_\_  
\_\_\_\_\_

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

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

Name of Officer: EDWARD F. HANNAGAN Title: PART OWNER

Date elected or appointed: \_\_\_\_\_ Social Security No.: \_\_\_\_\_

Date of Birth: \_\_\_\_\_ Place of Birth: Champaign, IL

Citizenship: USA

If naturalized, place and date of naturalization: NA

Residential Addresses for past three (3) years: 209 S. NEW  
GIFFORD, IL 61847

Business, occupation, or employment for four (4) years preceding date of application for this license: EMPLOYED BY HUNGER CORP.

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

NO OUTDOOR AREA TO BE USED EXCEPT FOR PARKING.  
40 ACRES PARKING.  
EVENT ALL INDOOR.

Recreation & Entertainment License Application  
Page Three

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

NA

Give first date qualified to do business in Illinois: —

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

\_\_\_\_\_

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

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

Name of Officer: MARY E. HANNIGAN Title: MANAGER - PART OWNER  
Date elected or appointed: \_\_\_\_\_ Social Security No.: \_\_\_\_\_  
Date of Birth: \_\_\_\_\_ Place of Birth: CHAMPAIGN, IL 61821  
Citizenship: USA  
If naturalized, place and date of naturalization: NA

Residential Addresses for past three (3) years: 2451 CR 2800N  
RENFIELD, IL 61862

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

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

NO OUTDOOR AREA TO BE USED EXCEPT FOR PARKING.  
40 ACRES PARKING.  
EVENT ALL INDOOR.

Recreation & Entertainment License Application  
Page Four

**AFFIDAVIT**

(Complete when applicant is an Individual or Partnership)

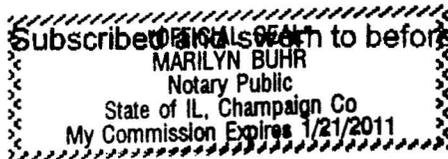
I/We swear that I/we have read the application and that all matters stated thereunder are true and correct, are made upon my/our personal knowledge and information and are made for the purpose of inducing the County of Champaign to issue the permit hereunder applied for.

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

*[Handwritten Signature]*  
\_\_\_\_\_  
Signature of Owner or of one of two members of Partnership

*[Handwritten Signature]*  
\_\_\_\_\_  
Signature of Owner or of one of two members of Partnership

*[Handwritten Signature]*  
\_\_\_\_\_  
Signature of Manager or Agent



Subscribed and sworn to before me this 8th day of December, 2008.

*[Handwritten Signature]*  
\_\_\_\_\_  
Notary Public

**AFFIDAVIT**

(Complete when applicant is a Corporation)

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

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

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

\_\_\_\_\_  
Signature of President

\_\_\_\_\_  
Signature of Secretary

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

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

\_\_\_\_\_  
Notary Public

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



STATE OF ILLINOIS,  
Champaign County  
Recreation & Entertainment License  
Check List and Approval Sheet

**FOR ELUC USE ONLY**

County Clerk's Office

1. Proper Application Date Received: 12 10-08
2. Fee Amount Received: 30.00

Sheriff's Department

1. Police Record Approval: [Signature] Date: 12/11/08
2. Credit Check Disapproval: \_\_\_\_\_ Date: \_\_\_\_\_

Remarks: \_\_\_\_\_ Signature: [Signature]

Planning & Zoning Department

1. Proper Zoning Approval: [Checkmark] Date: 1/06/09
2. Restrictions or Violations Disapproval: \_\_\_\_\_ Date: \_\_\_\_\_

Remarks: B-4 DISTRICT Signature: [Signature] ZONING ADMINISTRATOR

Environment & Land Use Committee

1. Application Complete Approval: \_\_\_\_\_ Date: \_\_\_\_\_
2. Requirements Met Disapproval: \_\_\_\_\_ Date: \_\_\_\_\_

Signature: \_\_\_\_\_

Remarks and/or Conditions: \_\_\_\_\_

\_\_\_\_\_

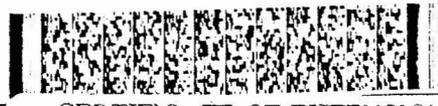
\_\_\_\_\_

THIS IS A LEGAL DOCUMENT UNDER THE UNIFORM ANATOMICAL GIFT ACT OF SIMILAR LAWS. I hereby make an anatomical gift effective upon my death.

Any organ or tissue      DATE 5/11/05  
 One, the following:

Signature of donor: Mary Hannagan  
 WITNESS \_\_\_\_\_  
 WITNESS \_\_\_\_\_

Rec'd Type  
 Rx Factor  
 Medical  
 Professional  
 License No.  
 See Area



Class  
 Restriction

**CERTIFICATE OF EXTENSION**

License expires four (4) years from expiration date on the face of license.  
 Jesse White  
 Illinois Secretary of State

**Illinois**      Jesse White - Secretary of State

NUMBER      ISSUED      EXPIRES  
 9-17-04      09-17-08

**DRIVERS LICENSE**

MARY E HANNAGAN  
 2451 CO RD 2800N  
 PENFIELD IL 61860

Birthdate  
 Female 5'04"      HCL  
 Restrictions      Type      Class  
 E      ORG      D



*Illinois* Jesse White - Secretary of State

ISSUED: 11-24-05 EXPIRES: 12-16-09

JOHN G. HANNAGAN #  
 2444 CO. RD. 2700 N  
 GIFFORD IL 61647

Birthdate: \_\_\_\_\_ Sex: \_\_\_\_\_ Eyes: \_\_\_\_\_ Hair: \_\_\_\_\_  
 Mark: \_\_\_\_\_ Height: \_\_\_\_\_ Weight: \_\_\_\_\_  
 Restrictions: \_\_\_\_\_ Class: \_\_\_\_\_ Endor: \_\_\_\_\_  
 B. \_\_\_\_\_

**CDL**



Illinois

Jesse White - Secretary of State

NUMBER ISSUED EXPIRES  
19-30-05 10-06-09

PATRICIA A. FRERICHS  
2751 COUNTY RD 2160  
OGDEN IL 61859



Birthdate  
Female 502 s BLUE  
Restrictions Type Class  
E ORG D

*Illinois*

Jesse White - Secretary of State

NUMBER ISSUED EXPIRES  
01-19-07 01-17-11

**CDL**

EDWARD F HANNAGAN  
209 S NEW POB 267  
OGDEN IL 61859



Birthdate  
Male  
Restrictions Type Class Endor.  
B ORG AL \*\*\*\*\*

Illinois

Jesse White - Secretary of State

NUMBER

ISSUED 01-28-05

EXPIRES 07-15-06

JOHANNA M QUIRAM  
2104 EMERALD DR  
CHAMPAIGN IL 61822



Birthdate  
Female  
Restrictions  
B

Type: BLUE I  
Class: D  
DUP

THIS IS A LEGAL DOCUMENT UNDER THE UNIFORM  
ANATOMICAL GIFT ACT OR SIMILAR LAWS

I hereby make an anatomical gift, effective upon my death

Any organ or tissue  
 Only the following  
signature of donor  
WITNESS  
WITNESS

DATE  
Blood Type  
H1 Factor  
Medical  
Information /  
Living Will  
Seal Area



**CERTIFICATE OF EXTENSION**

License expires four (4) years from  
expiration date on the face of license.

Jesse White  
Illinois Secretary of State

THIS IS A PUBLIC RECORD  
 AVAILABLE AT GIBBY'S  
 LIBRARY 1000 N. BRIDGE ST.  
 CHICAGO, ILL. 60610

EXPIRES: 08-30-01

EXPIRES: 08-19-05

**CERTIFICATE OF EXTENSION**  
 License expires four (4) years from  
 expiration date on the face of license.  
 Jesse White  
 Illinois Secretary of State

*Jesse White*  
*Jerry*

58

**Illinois** Jesse White Secretary of State

NUMBER: 08-30-01 EXPIRES: 08-19-05

**DRIVERS LICENSE**

JAMES J HANNAGAN  
 201 E SUMMIT  
 GIFFORD IL 61847

Birthdate: Male  
 Restrictions: B

Type: ORG  
 Class: GRN  
 ID: D

 DONOR



SERVICES    PROGRAMS    PRESS    PUBLICATIONS    DEPARTMENTS    CONTACT

### LLC FILE DETAIL REPORT

Entity Name	GORDYVILLE, LLC	File Number	01379771
Status	GOODSTANDING	On	11/19/2007
Entity Type	LLC	Type of LLC	Domestic
File Date	12/28/2004	Jurisdiction	IL
Agent Name	DENNIS KNOBLOCH	Agent Change Date	12/08/2005
Agent Street Address	115 W. JEFFERSON STE 200	Principal Office	2451 COUNTY RD 2800 NORTH PENFIELD 61862
Agent City	BLOOMINGTON	Management Type	MBR
Agent Zip	61701	Dissolution Date	PERPETUAL
Annual Report Filing Date	11/19/2007	For Year	2007
Series Name	NOT AUTHORIZED TO ESTABLISH SERIES		

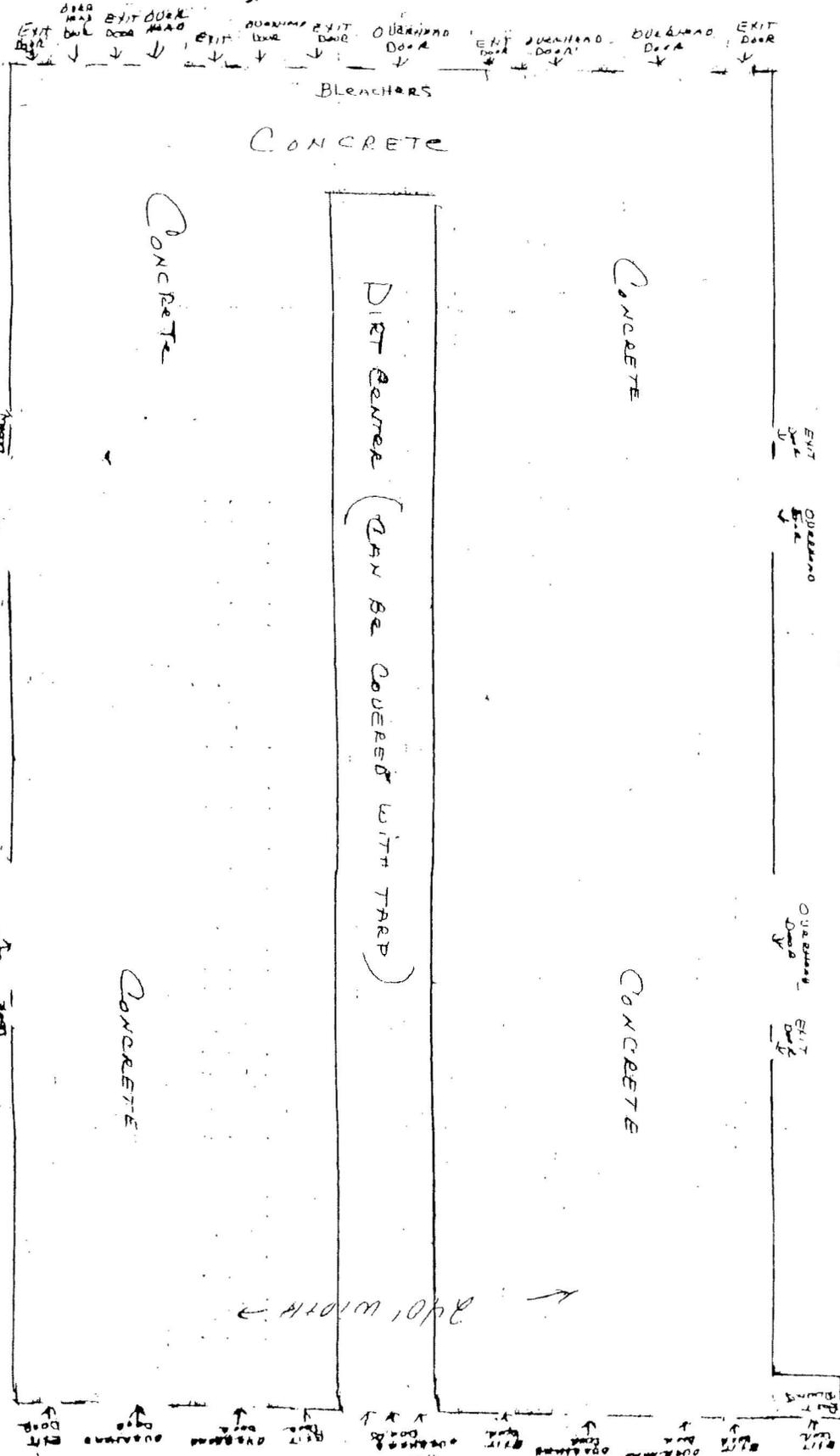
[Return to the Search Screen](#)

[Purchase Certificate of Good Standing](#)  
 (One Certificate per Transaction)

[BACK TO CYBERDRIVEILLINOIS.COM HOME PAGE](#)

NORTH

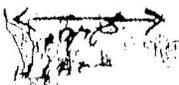
84000 sq ft of floor space



WEST  
 300'  
 15 EXIT DOORS  
 15 OVERHEAD DOORS

240' WIDTH

North Building

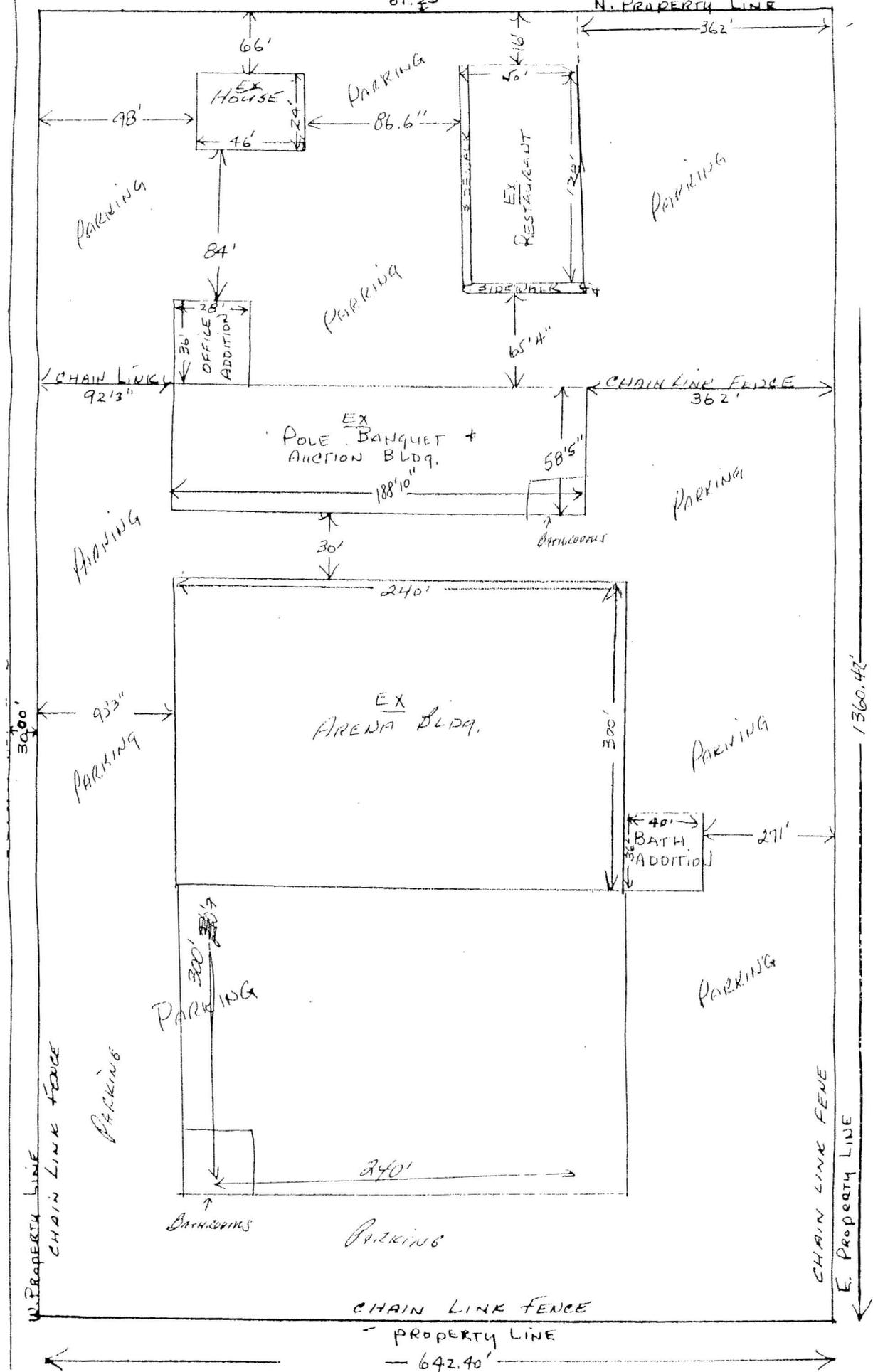




CENTER U.S. ROUTE 136

61.25'

N. PROPERTY LINE





TO: Environment & Land Use Committee

FROM: Brent Rose

DATE: January 12, 2009

SUBJECT: Joint Champaign County-City of Champaign Enterprise Zone:  
Boundary Amendment

**A. Introduction:** The purpose of this proposal is to amend the boundaries of the joint City of Champaign/Champaign County Enterprise Zone by adding 6.828 acres of property, generally located at the West end of Parkland Court, Champaign. The site is adjacent to the current boundaries of the Enterprise Zone.

**B. Prior County Board Action:**

- The County Board passed Ordinance No. 255, entitled “An Ordinance Establishing an Enterprise Zone.”
- From time to time since then, the Champaign County Board and the Champaign City Council have expanded the boundaries for specific developments.
- The most recent amendments to the boundaries of the Enterprise Zone were in 2008 for the International Society of Arboriculture property located at 1400 W. Anthony Drive, and for the EpiWorks property located at 1606 Rion Drive, Champaign.

**C. Summary:**

- The City of Champaign and Champaign County jointly operate the Enterprise Zone, so all amendments must be processed and approved by both the City and the County.
- All amendments must be certified by the State of Illinois Department of Commerce and Economic Opportunity before they take affect but only after the City and the County have taken action.
- The State has 90 days from the time of submittal to consider each application for amendment.
- The territory that is proposed to be added to the Enterprise Zone, pursuant to the approval of this amendment, is located immediately adjacent to the current Enterprise Zone boundaries.
- Currently, the total area of the Zone is approximately 9 square miles. The Enterprise Zone Act limits the total size of this Zone to 12 square miles.

- Isotech Labs is located at 1308 Parkland Court and is planning an expansion at this location. Company owners have requested that the Enterprise Zone boundaries be expanded to accommodate this project.
- The addition of this property will be consistent with the original goals of the Enterprise Zone by creating/retaining jobs in the county and stimulating commercial revitalization.

**D. County Policy:**

- The County Board adopted Resolution No. 3542 on March 21<sup>st</sup>, 1995.

**E. Attachments**



## REPORT TO CITY COUNCIL

**FROM:** Steven C. Carter, City Manager

**DATE:** December 23, 2008

**SUBJECT:** EXPLANATION OF COUNCIL BILL NO. 2009 – 002

**A. Introduction:** The purpose of this Council Bill is to amend the boundaries of the joint City of Champaign/Champaign County Enterprise Zone by adding 6.828 acres of property, generally located at the West end of Parkland Court. The property is adjacent to the current boundaries of the Enterprise Zone.

**B. Recommended Action:** The Administration recommends approval of this Council Bill.

**C. Prior Council Action:**

- On December 17, 1985, the City Council passed Ordinance No. 85-352, entitled “An Ordinance Establishing an Enterprise Zone.”
- From time to time since then, the Champaign City Council and the Champaign County Board have expanded the boundaries for specific development or requests.
- The most recent amendments to the boundaries of the Enterprise Zone were in 2008 for 1400 W. Anthony Drive, the International Society of Arboriculture and for property located along Rion Drive, including the EpiWorks property at 1606 Rion Drive.

**D. Summary:**

- The City of Champaign and Champaign County jointly operate the Enterprise Zone, so all amendments must be processed and approved by both the City and the County.
- All amendments must be certified by the State of Illinois Department of Commerce and Economic Opportunity before they take affect but only after the City and the County have taken action.
- The State has 90 days from the time of submittal to consider each application for amendment.
- The property that is proposed to be added to the Enterprise Zone, pursuant to the approval of this Council Bill, is located adjacent to the current Zone boundaries. The property is platted and partially developed and already located within the City limits.

- Currently, the total area of the Enterprise Zone is 8.5571 square miles, pending State approval of the ISA and EpiWorks amendments. The Enterprise Zone Act limits the total size of this Zone to 12 square miles.
- The ISA and EpiWorks amendments would add .038 square miles to the Zone. The proposed addition for Isotech will add 6.828 acres, or .0106 square miles, to the Zone. If all are approved, the Enterprise Zone will be 8.6057 square miles.
- The proposed addition includes 3 platted lots. Two of the three lots are developed with existing office and warehouse buildings. The third is undeveloped at this time.
- Isotech Labs is located at 1308 Parkland Court and is planning an expansion at this location. Company owners have requested that the Enterprise Zone boundaries be expanded to accommodate this project.
- The addition of this property will be consistent with the original goals of the Enterprise Zone by creating/retaining jobs in the community, particularly in the high-tech industry, and stimulating commercial investment and revitalization.

#### **E. Background:**

**1. Enterprise Zone Benefits.** The State of Illinois created the Enterprise Zone program in 1982 to encourage economic growth and neighborhood revitalization at the local level. The City of Champaign and Champaign County approved their Enterprise Zone Ordinances in 1985 and received State certification of their Zone in 1986. The Zone boundaries and local program incentives have been amended over the years to adapt to changing local needs.

The joint City of Champaign/Champaign County Enterprise Zone offers certain local property tax abatements and State and local sales tax abatements to qualifying projects. Projects eligible for incentives are all residential, commercial and industrial rehabilitation projects; hotel and conference center projects which include a minimum of 15,000 square feet of usable conference center space and a minimum of 100 hotel rooms; industrial projects which create or retain at least 20 full time or full-time equivalent jobs; and professional services commercial projects, such as offices from which accounting, legal, architectural, engineering or medical services are rendered.

Generally, qualifying industrial projects may receive an abatement of up to 10 years on City and County real estate taxes. Eligible commercial projects may receive a 5 year abatement of real estate taxes. All qualifying projects are eligible to receive a waiver of State and local sales taxes on building materials that are permanently affixed to the real estate as long as those materials are purchased within the State. Projects located within the boundaries of an Enterprise Zone may also qualify for certain State programs such as tax credits and employee training funds.

**2. Procedure for Amendment.** State law requires that a public hearing be advertised and conducted whenever an amendment is proposed that would alter the boundaries, incentives or benefits of the Enterprise Zone. Both the City and the County must consider and approve the proposed amendment. This process takes a minimum of 3 weeks to complete. The City and County, then, forward the transcript of the public hearing, together with the application for amendment, to the State Department of

Commerce and Economic Opportunity. Upon receipt of the City/County application, the State has 90 days to consider the application.

The State will evaluate the application based upon either of the following criteria:

- 1.) The area meets at least one of the statutory tests for unemployment, poverty, low income or population loss as described in Section 520.210(f) of the Illinois Administrative Code (see attached excerpt). This criterium was utilized to establish the original boundaries of the Enterprise Zone but is not generally used by the City or the County when considering amendments due to the difficulty in applying the tests; or
- 2.) The proposed addition provides an immediate benefit to the established Enterprise Zone and its residents within two years or less by a.) creating or retaining permanent full-time jobs; b.) removing or correcting an impediment to economic development that exists in the established Enterprise Zone; or c.) stimulating neighborhood residential or commercial revitalization.

**3. Request to Amend the Enterprise Zone Boundaries and Proposed Project.** An amendment is being requested to expand the Joint City of Champaign/Champaign County Enterprise Zone to include 3 additional lots on Parkland Court, north of Bradley Avenue as shown on the attached sketch (Attachment 1). The expansion is requested to facilitate the growth of the business located there, and the subsequent increased employment that it will generate. The properties at 1306, 1308, and 1402 Parkland Court are owned by Benson, Coleman, and Riley, LLC. The same individuals that own BCR are also the principal owners of the sole tenant of this property, Isotech Laboratories, Inc. Ownership disclosure is as follows:

Benson, Coleman, and Riley, LLC:	Isotech Laboratories, Inc.:
L. Jerome Benson, 33.3%	Dennis D. Coleman, 49%
Dennis D. Coleman, 33.3%	L. Jerome Benson, 24.5%
Kerry M. Riley, 33.3%	Kerry M. Riley, 24.5%
	Stephen R. Pelphrey, 1%
	Todd M. Coleman, 1%

The owners request this amendment to facilitate the growth of, Isotech, which was founded in 1985 and has occupied portions of this site since 1995. Isotech has grown substantially in recent years, from 10 total employees (5 full time, 5 part time) with gross annual sales of just over \$800,000 in 1998, to 35 employees (30 full time) and expected gross sales of \$8,700,000 in 2008. The average salary for full time employees at Isotech is \$60,000.

Isotech was initially founded as a service business, providing gas analysis and consulting services to the natural gas storage industry. Since that time, the company has expanded into other industries and now provides services to a wide variety of industrial and government agencies. Isotech specializes in stable isotope analysis. For example, the company can measure the relative amounts of the two different stable (non-radioactive) isotopes of carbon, <sup>12</sup>C and <sup>13</sup>C, in methane, CH<sub>4</sub>, or in any other carbon bearing material.

This "isotopic fingerprint" provides useful information on how a particular material is formed. Isotopic analysis is a standard practice in most large universities and government laboratories, but is only offered by a handful of commercial laboratories. Isotech is the only such laboratory in the State of Illinois, and one of less than a dozen commercial laboratories in North America. Isotech also operates 2 satellite labs in Egypt and Brazil and is in the planning stages to add another in Australia in 2009.

Isotech's relatively unique analytical capabilities have resulted in substantial growth of the company, particularly in the area of service to the oil and gas industry, and most notably, oil and gas exploration. In 2000, the company began the manufacture and sales of sampling equipment for collection of the samples submitted to Isotech for analysis. The sale of these sampling products, the majority of which is international, now exceeds 20% of Isotech's annual sales, and these sales are rapidly growing. However, growth in this area is becoming space limited. Therefore, BCR is planning a major construction project to meet the expansion needs of Isotech. The requested amendment to expand the Enterprise Zone is to facilitate that expansion and subsequent developments.

BCR, LLC plans to construct an eight thousand (8,000) square foot addition to its current building at 1308 Parkland Court. This addition represents over a fifty percent (50%) increase in building size. The attached drawing (Attachment 2) shows the approximate layout and design of this expansion. The addition will contain warehousing, manufacturing, and personnel support features. Preliminary construction estimates for the addition are between \$650,000 and \$750,000, with another \$500,000-\$1,000,000 in machinery and equipment purchases necessary for production.

Groundbreaking is planned for the spring of 2009, with structural features erected in the summer and a completion date by the fall of 2009. Financing for the construction has been secured locally. Isotech Laboratories, Inc. under its long term lease with BCR, LLC will use this addition for the storage, manufacture and assembly of IsoTubes®, IsoJars® and other sampling support products. Isotech has seen the manufacturing aspect of its business grow from a few percent to almost 25% in only a few years. Temporary facilities in the back of 1306B, inadequate facilities in the current building and under-designed facilities in a storage building at 1402 have been pressed into service to meet growth. Existing personnel working overtime augmented with temporary service companies and seasonal workers have provided additional labor to meet this growth.

This project is expected to allow Isotech to maintain and expand its lead in the manufacture and sale of sampling products for the oil and gas exploration industry and to create a minimum of four additional jobs within the next two years. If Isotech's growth continues along current trends, the increased employment may be 2 to 3 times that number. An expansion of the Enterprise Zone will facilitate the building addition that is badly needed to enhance the growth of Isotech Laboratories, Inc. and to expand its role as a provider of high quality jobs in Champaign County.

**F. Alternatives:**

1. Approve the Council Bill amending the boundaries of the Enterprise Zone to add 6.828 acres, generally located at the West end of Parkland Court.
2. Do not approve the Council Bill.

**G. Discussion of Alternatives:**

**Alternative 1** will approve the addition to the Enterprise Zone for the City. The process will still require County review and approval before the formal application may be submitted to the State for certification.

**a. Advantages**

- Is consistent with the original objectives of the Enterprise Zone to encourage creation and retention of jobs and to stimulate economic investment in the community.
- Is consistent with current City goals of encouraging the retention and expansion of an existing high-tech business.
- Encourages reinvestment in property already platted, partially developed and located within the core of the community, rather than on the fringe.
- Isotech demonstrates immediate project commitment.
- Allows Isotech to take advantage of governmental credits and tax abatement programs to help it remain competitive with other similar companies in this industry.

**b. Disadvantages**

- The City and County will forego property tax revenues on any incremental increase in assessed value for ten years after occupancy.

**Alternative 2** will not approve the Council Bill at this time. Staff seeks further Council direction if this alternative is selected.

**a. Advantages**

- Does not consume available capacity of the Enterprise Zone which could be used for other new developments with more job creation.

**b. Disadvantages**

- May delay or alter Isotech's future plans for local expansion and impact their ability to be competitive in a global market.

**H. Community Input:** A public hearing is scheduled for January 6, 2009 to provide the public with an opportunity to comment on the proposed Council Bill.

**I. Budget Impact:** The taxing value of these properties is approximately \$377,290. The City currently receives \$4,883 annually in real estate taxes and the County receives \$2,788. The anticipated addition to the building is \$650,000 to \$750,000, and the estimated increase in assessed value is \$216,000-\$250,000. The annual real estate tax abatement on this incremental increase in building value is estimated to be \$2,800-\$3,200 for the City and \$1,600-\$1,850 for the County for a total of approximately \$57,800-\$66,400 adjusting for the time value of money over the ten year abatement period. The estimated sales tax abatement on building materials is \$20,000-23,000. Isotech may also benefit from the sales and use tax abatements offered through the State on their machinery and equipment purchases.

**J. Staffing Impact:** Staff has spent approximately 4 hours working and meeting with the property owner and the company preparing this amendment for Council consideration. It is estimated that an additional 4 hours will be spent preparing the State application for certification.

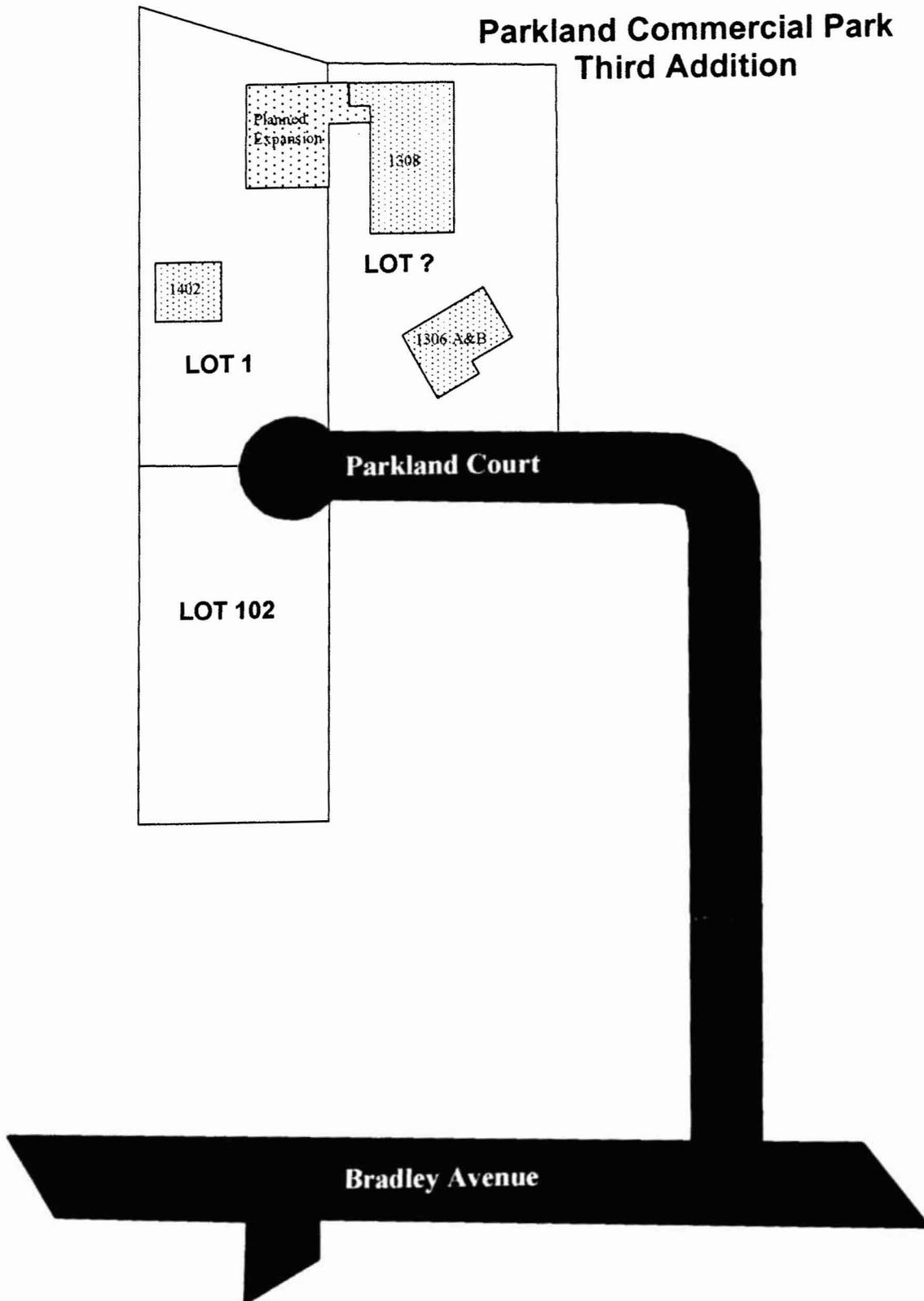
Prepared by:

Teri Legner  
Economic Development Manager

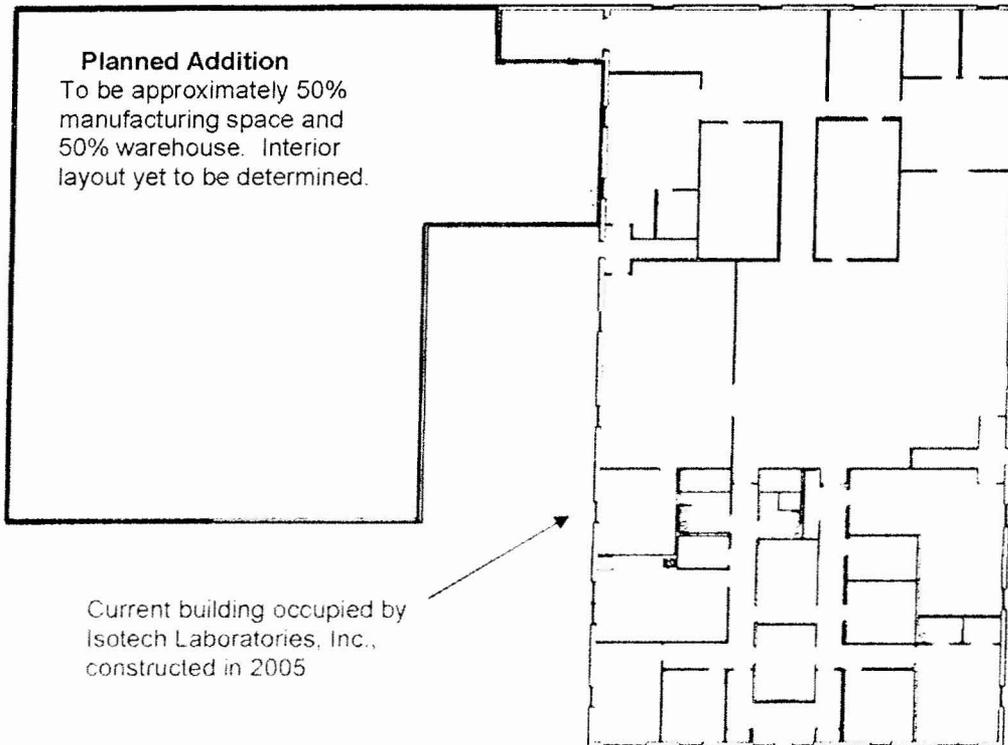
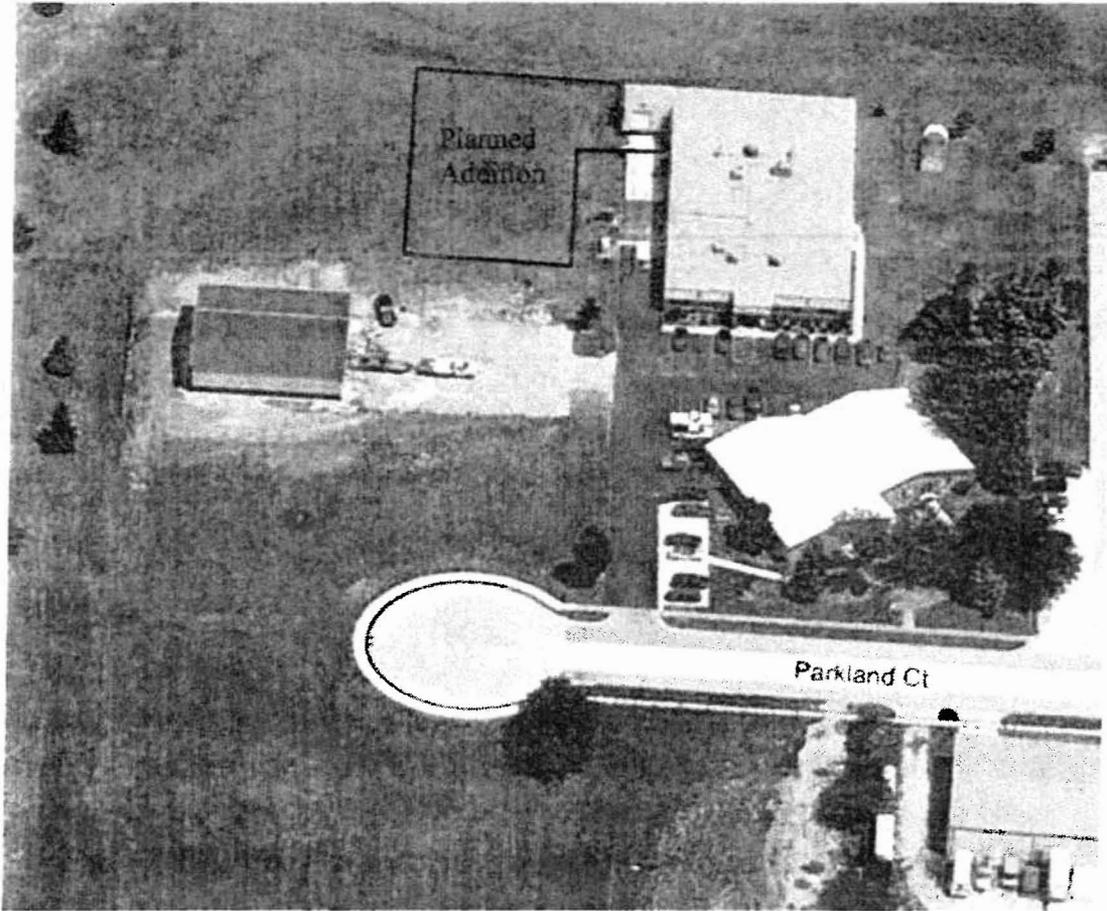
Attachments

J:\CMO\ADM\Economic Development\Enterprise Zone\RTC Isotech.doc

**ADDENDUM 1.** Lots to be included in proposed expansion



**ADDENDUM 2. Planned addition at 1308 Parkland Court**







PROSPECT  
—BANK—  
Member FDIC

1601 South Prospect Avenue 217.352.0077 phone  
Champaign, Illinois 61820 217.352.3777 facsimile [www.theprospectbank.com](http://www.theprospectbank.com)

November 18, 2008

Dennis D. Coleman, PhD  
President  
Isotech Laboratories, Inc  
1308 Parkland Ct.  
Champaign, IL, 61821-1826

Dear Dennis:

I would like to take this opportunity to thank you for seeking our assistance in your expansion project. Based on our past history, the Prospect Bank is more than eager to assist Isotech Laboratories, Inc in whatever manner possible. Given that statement, we are prepared to provide you with the construction and permanent financing on the addition to your offices located at 1308 Parkland Ct., Champaign, IL. This assistance will be subject to the standard exceptions with regard to appraised value, prior encumbrances, etc as required by sound and prudent underwriting of this project. In order to move this project forward, I would simply ask you that please provide us with the necessary information on the project that we have requested, as well as the anticipated start date for this project as soon as possible. In doing so, it will allow the Bank to meet your timeline to have everything in place to start the addition.

Again, thank you for allowing the Prospect Bank the opportunity to assist you in the endeavor. I can assure you that we look forward working with you on this project as well as assisting you with your future growth.

Sincerely,



Thomas J. Murray  
Senior Vice President

## **PART C. PURPOSE OF AMMENDMENT**

An amendment is being requested to expand the City of Champaign Enterprise Zone to include 3 additional lots on Parkland Court, north of Bradley Avenue as shown on the attached sketch (Addendum 1). The expansion is requested to facilitate the growth of the business located there, and the subsequent increased employment that it will generate. The property at 1306, 1308, and 1402 Parkland Court is owned by Benson, Coleman, and Riley, LLC. The same individuals that own BCR are also the principal owners of the sole tenant of this property, Isotech Laboratories, Inc. The requested amendment is primarily to facilitate the growth of the tenant, Isotech, which was founded in 1985 and has occupied portions of this site since 1995. Isotech has grown substantially in recent years, from 10 total employees (5 full time, 5 part time) with a gross annual sales of just over \$800,000 in 1998, to 35 employees (30 full time) and expected gross sales of \$8,700,000 in 2008. A contiguous lot at 1401 Parkland Court was recently purchased by one of the above owners, Coleman, and plans are underway to establish a new business at this site.

Isotech was initially founded as strictly a service business, providing gas analysis and consulting services to the natural gas storage industry. Since that time the company has expanded into other industries and now provides services to a wide variety of industrial and government agencies. Isotech specializes in stable isotope analysis. For example, the company can measure the relative amounts of the two different stable (non-radioactive) isotopes of carbon,  $^{12}\text{C}$  and  $^{13}\text{C}$ , in methane,  $\text{CH}_4$ , or in any other carbon bearing material. This "isotopic fingerprint" provides useful information on how a particular material was formed. Isotopic analysis is a standard practice in most large universities and government laboratories, but is only offered by a handful of commercial laboratories. Isotech is the only such laboratory in the State of Illinois, and one of less than a dozen commercial laboratories in North America.

Isotech's relatively unique analytical capabilities have resulted in substantial growth of the company, particularly in the area of service to the oil and gas industry, and most notably, oil and gas exploration. In 2000 the company began the manufacture and sales of sampling equipment, for collection of the samples submitted to Isotech for analysis. The sale of these sampling products, the majority of which is international, now exceeds 20% of Isotech's annual sales, and these sales are rapidly growing. However, growth in this area is becoming space limited. Therefore, BCR is planning a major construction project to meet the expansion needs of Isotech. The requested amendment to expand the City of Champaign Enterprise Zone is to facilitate that expansion and subsequent developments.

## **PART D. ELIGIBILITY REQUIREMENTS**

BCR, LLC plans to construct an eight thousand (8,000) square foot addition to its current building at 1308 Parkland Court. This addition represents over a fifty percent (50%) increase in building size. The attached drawing (Addendum 2) shows the approximate

layout and design of this expansion. The addition will contain warehousing, manufacturing, and personnel support features. Industrial masonry walls with a membrane roof complementing the existing building is planned to be constructed in 2009 meeting all of the City of Champaign building permit requirements for a structure of this type. Preliminary estimates for the addition are between \$650,000 and \$750,000. Ground breaking is planned for the spring of 2009, with structural features erected in the summer and a completion date by the fall of 2009. Financing for the construction has been secured locally through the Prospect Bank as demonstrated by the attached letter (Addendum 3). Isotech Laboratories, Inc. under its long term lease with BCR, LLC will use this addition for the storage, manufacture and assembly of IsoTubes®, IsoJars® and other sampling support products. Isotech has seen the manufacturing aspect of its business grow from a few percent to almost 25% in only a few years. Temporary facilities in the back of 1306B, inadequate facilities in the current building and under designed facilities in a storage building at 1402 have been pressed into service to meet growth. Existing personnel working overtime augmented with temporary service companies and seasonal workers have provided additional labor to meet this growth.

This project is expected to allow Isotech to maintain and expand its lead in the manufacture and sale of sampling products for the oil and gas exploration industry and to create a minimum of four additional jobs within the next two years. If Isotech's growth continues along current trends, the increased employment may be 2 to 3 times that number. An expansion of the Enterprise Zone will facilitate the building addition that is badly needed to enhance the growth of Isotech Laboratories, Inc. and to expand its role as a provider of high quality jobs in Champaign County.

**ATTACHMENT A**

**LEGAL DESCRIPTION**

Parcel 1:

Lot 1 in a replat of lot 9 of a replat of lots 1,7,8,9,15 and 16 in Parkland Commercial Court, Champaign, Champaign County, Illinois as per plat recorded August 22, 1988 in Plat Book "AA" at page 236 as Document 88 R 18275.

Parcel 2:

That part of Parkland Court lying south and adjacent to parcel 1, as vacated by document recorded April 8, 1994 in Book 2106 at page 574, as Document 94 & 9637, described as follow: Beginning at the south west corner of lot 9 of the replat of lots 1,7,8,9,15 and 16 of Parkland Commercial Court, Champaign, Illinois; thence south 89 degrees, 13 minutes, 14 seconds east along the south line of said lot 9, 350.80 feet to the south east corner thereof; thence south 01 degrees, 03 minutes, 10 seconds east, 10.01 feet; thence north 89 degrees, 13 minutes, 14 seconds west, along a line 10 feet south of and parallel to the south line of said lot 9, 350.80 feet; thence north 01 degrees, 03 minutes, 10 seconds west, 10.01 feet to the point of beginning, situated in Champaign County, Illinois;

Permanent Index No. 41-20-03-477-015;

Commonly known as 1306 Parkland Court, Champaign, Illinois, 61821; and

Lot 1 in Parkland Commercial Park Third Addition, a subdivision in the City of Champaign, as per plat recorded as Document No. 2002R 6693, in Champaign County, Illinois;

Permanent Index No. 41-20-03-477-022;

Commonly known as 1401 Parkland Court, Champaign, Illinois, 61821; and

LOT 102 IN A REPLAT OF LOT 2 OF PARKLAND COMMERCIAL PARK THIRD ADDITION; and

A tract of land being a part of the Southeast Quarter of Section 3, Township 19 North, Range 8 East of the 3<sup>rd</sup> PM, more particularly described as follows:

Public Right-of-Way dedicated per Plat of Parkland Commercial Court Subdivision recorded April 25, 1973, in Plat Book "X" at page 206 in the Champaign County Recorder's Office and revised per "Plat of Right-of-Way Vacation and Dedication" recorded November 17, 1976, in Plat Book "Y" at page 199 in the Champaign County Recorder's Office,

and

Dedication of cul-de-sac Right-of-Way per Plat of "Parkland Commercial Park Third Addition" recorded in the Champaign County Recorder's Office as document No. 2002R06693 on February 19, 2002.

and

"Beginning at the Southwest corner of Lot 3 of Parkland Commercial Court Subdivision recorded April 25, 1973, in Plat Book "X" at page 206, proceed South 00° 18' 10" East 85.00 feet on a Southerly extension of the Easterly Right-of-Way line of Parkland Court to the Southerly Right-of-Way line of Bradley Avenue; thence Westerly 66.0 feet along said Southerly Right-of-Way line to the point of intersection with a Southerly extension of the Westerly Right-of-Way line of Parkland Court; thence North 00° 18' 10" West 85.00 feet along said Southerly extension to the Southeast corner of Lot 2 of said Parkland Commercial Court; thence South 89° 13' 14" West 66.00 feet along the Southerly line of said subdivision to the Point of Beginning, encompassing 6.828 acres in Champaign County, Illinois."

COUNCIL BILL NO. 2009 - 002

AN ORDINANCE

AMENDING COUNCIL BILL NO. 85-352  
AN ORDINANCE ESTABLISHING AN ENTERPRISE ZONE  
(Additional 6.828 Acres – Isotech Laboratories, Inc.)

WHEREAS, on December 17, 1985, the City Council of the City of Champaign passed Ordinance No. 85-352, entitled “An Ordinance Establishing an Enterprise Zone”; and

WHEREAS, the City Council now finds it necessary and desirable to amend the terms of the Ordinance pursuant to Section 5.4 of the Illinois Enterprise Zone Act (the “Act”); and

WHEREAS, on December 29, 2008, the City caused public notice to be published in the *News Gazette*, a newspaper of general circulation within the certified Enterprise Zone and Champaign County, Illinois, of a public hearing to be held on January 6, 2009, within the certified Enterprise Zone by adding a certain property thereto; and

WHEREAS, on January 6, 2009, the City Council held a public hearing in the Champaign City Council Chambers, a location within the Certified Enterprise Zone, at which public hearing information was presented and public comment received on the questions specified on the notice as published; and

WHEREAS, the Illinois Department of Commerce and Economic Opportunity must approve the proposed amendment to a Certified Enterprise Zone.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF CHAMPAIGN, ILLINOIS as follows:

**Section 1.** That Exhibit A of Council Bill No. 85-352 is hereby amended to alter the boundaries of the Zone area by adding to such Zone area the tracts of real estate more particularly described in Attachment A, attached hereto and hereby incorporated by reference, such additional tracts being contiguous to the Certified Enterprise Zone.

**Section 2.** That the City Manager is authorized to forward an application to the State of Illinois for an expansion of the boundaries of the Enterprise Zone as approved in Section 1.

**Section 3.** That the expansion of the area of the Enterprise Zone approved in Section 1 shall become effective immediately upon approval of the proposed amendment by the State of Illinois Department of Commerce and Economic Opportunity, pursuant to the Enterprise Zone Act.

**Section 4.** That the City Clerk is hereby directed to publish this Ordinance so that its effective date is January 7, 2009.

**Section 5.** If any section, paragraph, or provision of the Ordinance is held to be invalid or unenforceable, such invalidity or unenforceability of such section, paragraph, or provision shall not affect any of the remaining provisions of this Ordinance, or the provision of the Code.

**Section 6.** The provisions of this Ordinance shall take precedence and be interpreted as superseding any other Ordinance or statute in conflict with the provisions of this Ordinance.

COUNCIL BILL NO. 2009 - 002

PASSED:

APPROVED: \_\_\_\_\_  
Mayor

ATTEST: \_\_\_\_\_  
City Clerk

APPROVED AS TO FORM:

\_\_\_\_\_  
City Attorney

Champaign  
County  
Department of



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

(217) 384-3708  
FAX (217) 328-2426

TO: **Environment and Land Use Committee**  
FROM: **John Hall, Director of Planning and Zoning**  
DATE: **January 7, 2009**  
RE: **Update on HB2518 which is a request for legislative change regarding municipal annexation agreements (the *Chatham* decision)**

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### *STATUS*

This memorandum is an update on House Bill (HB) 2518 which proposed to add Champaign County to the list of Illinois counties in which the geographical jurisdiction of municipal annexation agreements are limited. See the Background for a review of the County's interest in HB 2518. HB2518 was approved by the House but stalled in the Senate Rules Committee and will apparently expire with the end of the 95<sup>th</sup> General Assembly on January 13, 2009. Representative Naomi Jakobsson and Senator Mike Frerichs have indicated their willingness to introduce a new bill in the new session. The deadline for submission in the House is on or about February 13, 2009.

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### **BACKGROUND**

The decision by the Illinois Supreme Court in the case known generally as *Village of Chatham v. Sangamon County* determined that the Illinois Municipal Code (65 ILCS 5/11-15.1-2.1) provides that property that is the subject of an annexation agreement with a municipality is subject to the ordinances, control, and jurisdiction of the municipality and not subject to those of the county even though the property is not actually annexed. Thus, property located in the County zoning jurisdiction would be removed from the County jurisdiction if the landowner would sign an annexation agreement with a municipality. The *Chatham* decision resulted in a very significant reduction of county zoning and subdivision jurisdiction in the unincorporated areas because it does not in any way restrict the ability of municipalities and villages to enter into annexation agreements. The *Chatham* decision also created serious challenges for municipal comprehensive planning.

On February 29, 2008, area legislators were presented with resolutions from Champaign County, the Cities of Champaign and Urbana and the Villages of Mahomet, Philo, Rantoul, Royal, Savoy, Sidney, and St. Joseph requesting an amendment to the law regarding municipal annexation agreements. The request was to add Champaign County to the list of counties in which the geographical jurisdiction of municipal annexation agreements are limited.

Rep. Jakobsson sponsored HB 2518 in the House and Senator Frerichs was the chief Senate sponsor. HB2518 was passed by the House and was introduced in the Senate but has never been released from the Senate Rules Committee. HB2518 will expire with the end of the 95<sup>th</sup> General Assembly on January 13, 2009. It is not clear why HB2518 was unsuccessful or what else could be done to improve the chances for passage.

Representative Chapin Rose was a co-sponsor of HB 5733 which proposed to make a similar change for all counties. Unlike HB2518, HB5733 was the target of opposition by the Illinois Municipal League and was not passed by the House.

The deadline for submission of the new bill is on or about February 13, 2009. Because of the short time frame, Rep. Jakobsson is proceeding with a bill identical to HB2518.

### **ATTACHMENTS**

A HB2518



Rep. Naomi D. Jakobsson

Filed: 4/1/2008

09500HB2518ham002

LRB095 01286 HLH 48759 a

1 AMENDMENT TO HOUSE BILL 2518

2 AMENDMENT NO. \_\_\_\_\_. Amend House Bill 2518 by replacing  
3 everything after the enacting clause with the following:

4 "Section 5. The Illinois Municipal Code is amended by  
5 changing Section 11-15.1-2.1 as follows:

6 (65 ILCS 5/11-15.1-2.1) (from Ch. 24, par. 11-15.1-2.1)

7 Sec. 11-15.1-2.1. Annexation agreement; municipal  
8 jurisdiction.

9 (a) Except as provided in subsections (b) and (c), property  
10 that is the subject of an annexation agreement adopted under  
11 this Division is subject to the ordinances, control, and  
12 jurisdiction of the annexing municipality in all respects the  
13 same as property that lies within the annexing municipality's  
14 corporate limits.

15 (b) This Section shall not apply in (i) a county with a  
16 population of more than 3,000,000, (ii) a county that borders a

1 county with a population of more than 3,000,000 or (iii) a  
2 county with a population of more than 246,000 according to the  
3 1990 federal census and bordered by the Mississippi River,  
4 unless the parties to the annexation agreement have, at the  
5 time the agreement is signed, ownership or control of all  
6 property that would make the property that is the subject of  
7 the agreement contiguous to the annexing municipality, in which  
8 case the property that is the subject of the annexation  
9 agreement is subject to the ordinances, control, and  
10 jurisdiction of the municipality in all respects the same as  
11 property owned by the municipality that lies within its  
12 corporate limits.

13 (c) In the case of property that is located in Boone,  
14 Champaign, DeKalb, Grundy, Kankakee, Kendall, LaSalle, Ogle,  
15 or Winnebago County, if the property that is the subject of an  
16 annexation agreement is located within 1.5 miles of the  
17 corporate boundaries of the municipality, that property is  
18 subject to the ordinances, control, and jurisdiction of the  
19 annexing municipality. If the property is located more than 1.5  
20 miles from the corporate boundaries of the annexing  
21 municipality, that property is subject to the ordinances,  
22 control, and jurisdiction of the annexing municipality unless  
23 the county board retains jurisdiction by the affirmative vote  
24 of two-thirds of its members.

25 (d) If the county board retains jurisdiction under  
26 subsection (c) of this Section, the annexing municipality may

1 file a request for jurisdiction with the county board on a case  
2 by case basis. If the county board agrees by the affirmative  
3 vote of a majority of its members, then the property covered by  
4 the annexation agreement shall be subject to the ordinances,  
5 control, and jurisdiction of the annexing municipality.  
6 (Source: P.A. 95-175, eff. 1-1-08.)".

TO: **Environment and Land Use Committee**  
FROM: **January 7, 2009**  
DATE: **John Hall, Zoning Administrator**  
RE: **Update on *Zoning Ordinance* amendment for wind farms**

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### **STATUS**

**Case 634-AT-08 is the amendment to change the *Zoning Ordinance* requirements for wind farms. The amendment will open at the ZBA on February 12, 2009. The earliest possible date that the amendment could be ready for County Board action is April 23, 2009, but a more reasonable estimate is May 21, 2009.**

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### **BACKGROUND**

The Committee discussion of *Zoning Ordinance* regulations for wind farms at the last several meetings can be summarized as follows:

- At the August meeting staff reviewed the current *Zoning Ordinance* requirements for wind farm development which are as follows:
  - One to three wind turbines may be authorized by the Zoning Board of Appeals in the AG-1 and AG-2 Districts with a Special Use Permit.
  - More than three wind turbines are authorized only as a Special Use Permit and only in the I-2 Heavy Industry Zoning District.

Thus, a wind farm development involving a single developer and more than three wind turbines is not permissible in the AG-1 District at this time nor is it feasible to rezone rural land to I-2 simply to authorize a wind farm development. Staff also reviewed for the Committee the statutory requirement that any change in *Ordinance* requirements for wind farm approval would require County Board approval of a wind farm.

- At the September meeting the Committee reviewed two alternatives for County Board approval of wind farms in the rural districts consisting of (1) a County Board Special Use Permit or (2) a County Board Special Use Permit and a map amendment (rezoning). The Committee also reviewed the *Model Ordinance Regulating The Siting Of Wind Energy Conversion Systems In Illinois* which is the basis of most wind farm regulations in Illinois. The Committee also reviewed a proposed new fee for wind farm applications.
- At the October meeting staff presented the results of a review of wind farm requirements for 11 other Illinois counties. Staff also presented a list of 23 specific wind farm standards from the *Model Ordinance* and 16 other standards some of which were based on the review of other counties, that were proposed to be added to the *Ordinance*.
- At the November meeting the Committee reviewed an expanded list of 44 specific changes to the current *Ordinance* requirements for wind farms including a staff recommendation to allow wind farms in the AG-1 District by means of only a County Board Special Use Permit. The Committee also reviewed an alternative fee for wind farm applications. At least four of the eight Committee members present favored a combined requirement for both a County Board Special Use Permit and a map amendment for wind farm approval.

### **DOCKETING OF CASE 634-AT-08 AND STAFFING IMPACTS**

Zoning Case 634-AT-08 was docketed on September 11, 2008. Based on that application date, Case 634-AT-08 will open at the February 12, 2009, ZBA meeting. The ZBA will also be asked to reserve subsequent meetings on February 26, March 12, and March 26, 2009, for this case.

**Zoning Administrator**  
**Zoning Ordinance Amendment for Regulation of Wind Farms**  
**JANUARY 7, 2009**

If the ZBA takes final action on Case 634 in March 2009 the case will be at ELUC on April 13, 2009, and the County Board on May 21, 2009. The earliest possible date that the amendment could be ready for County Board action is April 23, 2009, but that is very unlikely.

This will be the first major text amendment since the reorganization of the Planning and Zoning Department in 2006. In the past a major text amendment (including the background research) would have been staffed by the Special Projects Planner and other zoning cases would be staffed by the Associate Planner for Current Planning. However, the Special Projects Planner is currently the County Planner at the RPC and is devoted full time to the Land Resource Management Plan. Therefore the only staffing available for this major text amendment is the Director and the Associate Planner for Current Planning. Four other zoning cases docketed after Case 634-AT-08 were moved ahead of Case 634 while the Director prepared the text of the Draft amendment. In order for the Current Planner to staff the public hearing for Case 634, at least two other zoning cases (and possibly more) will be delayed at least one month while the ZBA completes Case 634-AT-08.

