

MINUTES OF REGULAR MEETING

Champaign County Environment & Land Use Committee	DATE:	November 30, 2009
Champaign County Brookens Administrative Center Urbana, IL 61802	TIME:	7:30 p.m.
	PLACE:	Lyle Shields Meeting Room Brookens Administrative Center 1776 E. Washington Street Urbana, IL 61802

MEMBERS PRESENT: Jan Anderson, Chris Doenitz, Brad Jones, Alan Kurtz (VC), Ralph Langenheim, Steve Moser, Barbara Wysocki (C),

OTHER COUNTY BOARD MEMBERS

PRESENT: Pius Weibel, Alan Nudo, Sam Smucker

MEMBERS ABSENT: Carol Ammons, Jon Schroeder

STAFF PRESENT: John Hall, Lori Busboom, Debra Busey, Susan Monte, Susan Chavarria, Andrew Levy

OTHERS PRESENT: Hal Barnhart, Eric Thorsland,

I. Call to Order

The meeting was called to order at 7:30 p.m.

II. Roll Call

The roll was called and a quorum declared present.

III. Approval of Agenda/Addendum

Mr. Kurtz moved, seconded by Mr. Langenheim to approve the agenda and addendum.

Ms. Wysocki noted that the Addendum was no longer necessary since the applicant had decided not to have live music at her event.

The motion carried by voice vote.

1 **IV. Approval of Minutes**

2
3 **A. October 13, 2009**

4 **B. October 27, 2009**

5
6 **Mr. Doenitz moved, seconded by Mr. Moser to approve the October 13, 2009 and October 27,**
7 **2009 minutes as submitted. The motion carried by voice vote.**

8
9 **V. Public Participation**

10
11 There was none.

12
13 **VI. Correspondence**

14
15 There was none.

16
17 **VII. Chair's Report**

18
19 Ms. Wysocki noted that a short ELUC meeting has been scheduled a half hour prior to the County Board
20 meeting on December 17, 2009 to review the Recreation and Entertainment Licenses.

21
22 **VIII. Updates**

23
24 **A. Proposed Ameren Bondville to Southwest Campus 138kV Transmission Line**
25 **Project**

26
27 Mr. Hall stated that he attended an open house at the Village of Savoy that Ameren hosted to inform the
28 public about their plans to install a 138kV transmission line in the area. He said that there are several
29 proposed routes that this line may take, however, the current route alternatives have been revised due to
30 concerns with Willard Airport. Mr. Hall noted that there will be another meeting in the near future to
31 review the proposed routes and he would keep the Committee updated as more information becomes
32 available.

33
34 Mr. Langenheim asked what were the changes that are being proposed. Mr. Hall said that Ameren is no
35 longer proposing the path along the south edge of the airport, nor is there a proposed path along Route
36 45 along the east edge of the airport.

37
38 Mr. Langenheim asked whether there are still paths proposed farther south of the airport. Mr. Hall said
39 that there are two paths proposed further south of the airport.

1 Mr. Kurtz noted that he also attended the open house in October. He said that he had some concerns
2 with low flying airplanes flying in and out of the airport and the proposed height of the transmission
3 towers. He noted the proposed height of the towers is between 135 feet and 150 feet. He said that
4 Ameren was going to check with the FAA because there may be some problems of communication
5 between the towers and the planes when they pass through the electrical power line. He said that he has
6 not heard anything back from the FAA or Ameren at this point, however, this is something that should
7 be followed up on for safety issues.
8

9 **IX. Resolution for the Creation of a Renewable Energy Fund to Reduce Energy Expenditures**
10 **by Transitioning County Facilities to Renewable Energy Solutions**
11

12 **Mr. Langenheim moved, seconded by Ms. Anderson to adopt the Resolution for the creation of a**
13 **renewable energy fund to reduce energy expenditures by transitioning County facilities to**
14 **renewable energy solutions.**
15

16 Mr. Smucker stated that earlier this year the County Board passed an energy policy for the County
17 buildings which included a preference for using renewable energies in instances where they would be
18 cost efficient. He said that at the time of adopting that policy, a report was received from the Smart
19 Energy Design Center at the University of Illinois which studied all of the County buildings to look at
20 possible different renewable energy sources and the costs of implementation. Mr. Smucker said that the
21 results of that study show that in some instances a good return could be expected for the investment over
22 the long term. Mr. Smucker noted that the County has also adopted an amendment to the Champaign
23 County Zoning Ordinance which provides for construction of wind turbines.
24

25 Mr. Smucker said that these three items will hopefully make Champaign County the center of the
26 growing regional energy industry. He said that the power that will be generated from the wind turbines
27 will go out onto the open electricity market and will not create more renewable energy in Champaign
28 County. He said that after speaking with several people an idea came to him to place some of the
29 property taxes that the wind turbines will generate in a special fund and use that money to move the
30 County facilities towards renewable energy.
31

32 Mr. Smucker said that the resolution will do two things. He said that it is a way to address the County's
33 fiscal problems and it is a way to reduce the County's carbon footprint and move towards energy
34 independency.
35

36 Mr. Smucker said that there is a table in the packet which demonstrates how the fund would be funded.
37 He said that approximately one hundred dollars from each turbine each year would be put in the
38 renewable energy fund. He said that once the fund is established and begins to accumulate money, the
39 Facilities Committee could begin to look at options on how to move the different facilities towards
40 renewable energy usage.
41
42

1 Mr. Smucker noted that the funds would begin to address some of the action items spelled out in the
2 Land Resource Management Plan.
3

4 Mr. Jones commented that using renewable energy has merit, however, it should be part of the normal
5 replacement process and a separate fund shouldn't be needed for those repairs. He said that there are a
6 lot of difficulties with general corporate funds and taking funds away from long range plans does not
7 sound like a good idea. He said that new uses for money coming into the County should not be planned
8 for while there are other necessary expenditures waiting to get done.
9

10 Mr. Jones noted that renewable energy ideas are usually eligible for federal grants. He said that applying
11 for grants may be worth pursuing instead of taking a portion of funds that at this time are only
12 prospective.
13

14 Mr. Kurtz stated that he really liked this resolution, however, he said he believed it to be premature. He
15 said that he would like to see the turbines up first and then see what the revenue situation is like in the
16 next few years. He said that right now every dollar that comes in needs to go into the general corporate
17 fund. He said that at this point not even one penny can be taken out of the operating expenses. Mr.
18 Kurtz suggested revisiting this issue within a year or two after the turbines are up.
19

20 Mr. Moser said that most of the County buildings were constructed within the last ten years. He said
21 that Brookens requires a lot of maintenance as does the jail, the youth detention center, and the
22 courthouse. He said that repairs are going to be needed on each of the buildings and there are no
23 contingency funds. Mr. Moser said that there should be a contingency fund for building maintenance,
24 however, money shouldn't be set aside for one particular use. He said that it makes more sense to let the
25 Facilities Committee determine what repairs need to be done and allocate the funds as necessary.
26

27 Mr. Langenheim said that his position on this item is that the proposal has merit and it may be
28 premature, however, it is more desirable to have the full Board consider this matter than to have it
29 stopped in Committee.
30

31 Ms. Anderson commended Mr. Smucker for putting the resolution and background materials together.
32 She said that the proposed resolution is thinking ahead instead of being premature. She said that
33 maintenance is important, however, doing those repairs the cheapest way is not always the best. She
34 noted that replacing the light bulbs with energy efficient bulbs costs more to begin with, but they last
35 longer and save on energy usage which is reflected in the utility bill.
36

37 Mr. Smucker said that a separate fund is needed because having the fund shows a level of commitment
38 when applying for renewable energy grants. He added that the fund would be dedicated to making
39 repairs to the buildings. He said that all of the money that is invested in the renewable energy fund
40 should come back to the County's General Corporate fund eventually. He said that over the long term,
41 the figure the Smart Energy Design Center discussed was a 13% return on investment.
42

1 Mr. Smucker said that there are a lot of ways to solve fiscal issues and this is one of them. He said that
2 this is a small amount of money, .7% of all property taxes from the turbines. He said that it seems to be
3 an appropriate amount of money that is set aside to ensure that the County is going to move towards
4 energy independence. He said that this is a commitment to long term planning and he did not feel that
5 this resolution is premature. He added that it is important to have this fund set up now even though there
6 will be no money received for a few years.
7

8 Mr. Doenitz asked whether any Special Use Permit applications have been received for wind farms. Mr.
9 Hall said that no applications have been received.
10

11 Mr. Doenitz commented that he did not believe that this was the appropriate committee for this request.
12

13 Mr. Weibel said that the proposed resolution does not spend any money. He said that the resolution is
14 for long term planning which allocates money toward future uses. He said that there is no question that
15 there will be other needs, however, at least the County is recognizing that there is money for certain
16 areas. He added if worse comes to worst these funds can be used for repairs. He said that there are no
17 restrictions on what the money can be used for and it is a good idea to think about in the long term to
18 make the County buildings more energy efficient.
19

20 Mr. Weibel asked whether this resolution would have to be approved by the Finance Committee. Ms.
21 Busey said that it would not. She said that the resolution can go directly from this Committee to the full
22 County Board.
23

24 Mr. Langenheim asked for a roll call vote.
25

26 **The vote was:**
27

28	Anderson - yes	Doenitz - no	Ammons - absent	Jones - no
29	Langenheim - yes	Kurtz - no	Moser - no	Schroeder - absent
30	Wysocki - yes			

31
32 **The motion failed.**
33

34 X. Recreation and Entertainment License: Gordyville, LLC d.b.a Corner Concessions,
35 Location: 2205 CR 3000N, Gifford, Illinois, November 9, 2009 to December 31, 2009
36

37 **Mr. Doenitz moved, seconded by Mr. Moser to approve the Recreation and Entertainment License**
38 **for Gordyville, LLC d.b.a. Corner Concessions located at 2205 CR 3000N, Gifford, Illinois from**
39 **November 9, 2009 to December 31, 2009. The motion carried by voice vote.**
40
41

1 **XI. ELUC Approval of Proposed Implementation Strategy (Stage 4) of the Land Resouce**
2 **Management Plan**
3

4 **Mr. Kurtz moved, seconded by Ms. Anderson to adopt the proposed Implementation Strategy,**
5 **Stage 4, of the Land Resource Management Plan.**
6

7 Ms. Monte distributed a handout outlining proposed implementation actions for Policy 7.2.3 and Policy
8 8.4.6. She noted that both of these action items would be on-going actions.
9

10 Mr. Langenheim asked whether it was necessary to include the language ‘considering fiscal constraints’
11 in Policy 7.2.3.
12

13 **Mr. Kurtz moved, seconded by Mr. Jones to approve the Implementation Actions for Policy 7.2.3**
14 **and Policy 8.4.6. The motion carried by voice vote.**
15

16 **Mr. Doenitz moved, seconded by Mr. Moser to delete Policy 9.2.2.**
17

18 Mr. Hall asked whether the proposal was to strike the action item and leave the policy or to strike both
19 the action item and the policy. Mr. Doenitz said that he would like to strike the policy and any other
20 policies or action items with respect to items that should be brought before the Facilities Committee. He
21 said that this Committee did not need to be involved in an area that is handled by other County Board
22 committees.
23

24 Ms. Anderson asked why would this item be left up to just the Facilities Committee instead of allowing
25 the County Board to make those decisions. She said that she was having a hard time understanding why
26 the County would not want to strive toward becoming more energy efficient.
27

28 Mr. Weibel noted that Policy 7.2.3 was just adopted that involves the Highway and Transportation
29 Committee. He said that if the Committee was going to follow through with redundancy, then Policy
30 7.2.3 should also be stricken.
31

32 Ms. Monte commented that she has spoken to the County Engineer who suggested the wording for
33 Policy 7.2.3.
34

35 Mr. Jones asked Mr. Doenitz to expand on what Mr. Hall had asked earlier. He asked whether Mr.
36 Doenitz objected to the policy or was it that he did not want an action item for the policy.
37

38 Mr. Doenitz said that he believed that the Facilities Committee should be the committee to review
39 building design, not ELUC.
40

41 Ms. Wysocki said that the Facilities Committee should be identified as the committee primarily
42 responsible for Action Item 9.2.2. Mr. Doenitz agreed.

1 Ms. Monte noted that to be consistent with the other action items, it would be a County staff person who
2 would be identified as the responsible party.

3
4 Ms. Busey said that in reviewing implementation items 9.1.3a and 9.1.3b they are already specific. She
5 said that the County Facilities Committee and the Facilities Director have already initiated energy audits
6 in different forms for some of the County buildings. She said that what was approved for the County
7 Engineer is to continue to monitor and pursue potential funding opportunities to achieve the policies.
8 She said that if something that general could be written, instead of this specific, that would address the
9 issue. She noted that she did not believe the purview of those items rest with planners but with the
10 Facilities Director and Facilities Committee. She said that the statement could be as simple as the
11 Facilities Director and Facilities Committee will work to achieve Policy 9.2.2.
12

13 **Mr. Doenitz, seconded by Mr. Moser, amended the motion to incorporate language in Policy 9.2.2**
14 **to reflect that the Facilities Committee and Facilities Director would work to achieve the Action**
15 **Items in Policy 9.2.2.**

16
17 Mr. Nudo noted that with the County Planner being the responsible party for the Action Items, there is
18 no ownership with the parties that really should be involved. He said that Ms. Busey’s proposed
19 statement puts the ownership back where it should be.
20

21 **The motion carried by voice vote.**

22
23 **The vote to adopt the proposed Implementation Strategy, Stage 4, of the Land Resource**
24 **Management Plan was:**

25
26 **Anderson - yes Doenitz - yes Ammons - absent Jones - yes**
27 **Langenheim - yes Kurtz - yes Moser - no Schroeder - absent**
28 **Wysocki - yes**

29
30 **The motion carried.**

31
32 **XII. Scheduling of LRMP Public Meeting**

33
34 Ms. Wysocki noted that the next item of business for the LRMP is to schedule a public meeting. Those
35 meetings have been tentatively scheduled for January 19, 2010 or January 26, 2010, which are Tuesday
36 evenings.
37

38 Ms. Chavarria said that she hoped that January 19th was the date chosen because if the weather is bad
39 and the meeting has to be rescheduled, there will be plenty of time to send notices for a meeting on
40 January 26th.
41

42 Mr. Langenheim asked whether the primary election on February 2 has any bearing on the chosen dates.

1 Ms. Wysocki said that it did not.

2
3 Ms. Wysocki asked for ideas for the public meetings.

4
5 Mr. Weibel asked whether there would be a power point presentation. Ms. Chavarria said that they were
6 proposing an open house format versus a public hearing. She said that a public hearing is not required
7 under the auspices of what the plan was created under. She said that they are proposing to have an
8 informal session where there would be different stations throughout the room where people could go
9 through at their leisure.

10
11 Mr. Weibel asked how comments would be gathered from the public. Ms. Chavarria said that they
12 always have comment cards available. She added that they could have a question and answer period and
13 also on-line comment availability.

14
15 Ms. Busey asked whether a location had been discussed. Ms. Chavarria said that the meeting is penciled
16 in at the I Hotel.

17
18 Mr. Nudo noted that that is a location to stay away from if there is a University of Illinois home
19 basketball game. Ms. Chavarria commented that she was not familiar with the U of I sports calendar.
20 Mr. Nudo said that she should be. Ms. Chavarria said that if there is a home game, then a different
21 location would be considered.

22
23 Mr. Nudo said that if there is a home game that evening then another date should be considered to ensure
24 that the basketball fans in the County have an opportunity to hear this proposal. He said that by holding
25 the open house on a night when there is a game, a large portion of the County will be either at the game
26 or watching the game on television.

27
28 Ms. Wysocki asked whether there was a game on January 26, 2009. Mr. Nudo said that he did not
29 know.

30
31 Ms. Chavarria said that staff would work around such situations, locations, dates and time. Mr. Nudo
32 said that since staff was looking for a date to hold the open house, all of these factors need to be
33 considered.

34
35 Ms. Chavarria said that there are a lot of other factors to consider as well, not just basketball games. She
36 said that she was not looking for approval for a specific date because the County Board members are not
37 required to be there. She noted that the public is the target crowd.

1 Mr. Doenitz asked whether the background information will be available to the public prior to the open
2 house. Ms. Chavarria said that a media release and advertisements in the newspapers will provide
3 information to the public that there is a comment period slated to begin January 4th and to conclude on
4 February 2, 2009. She said the document will be available on-line, at certain offices and at the public
5 libraries. She noted that copies and CD's are available for those who request them.
6

7 Mr. Moser asked why the meeting is scheduled in the middle of winter. Ms. Chavarria said that the
8 purpose of trying to hold the meeting in January is to avoid planting season.
9

10 Mr. Hall noted that people who want to make comments on this plan will want to give their comments to
11 their County Board members at the public meeting. He said that if that is not important to the
12 Committee, then that notion can be put aside. Mr. Doenitz said that being at the meeting is important,
13 however, the Committee was just told that they are not required to be at the public hearing. Mr. Doenitz
14 said that he agreed with Mr. Hall, that the County Board members should be available for the meeting.
15 He said that if some Board members think there is a problem with the date because of a basketball game
16 where people are less likely to show up, then that date is a problem.
17

18 Ms. Wysocki asked again if there was a basketball game on January 26, 2010. Mr. Kurtz said that there
19 was not.
20

21 Ms. Anderson commented that only half of the County Board members were present at the LRMP study
22 session that preceded this meeting. She said that she would attend either date, even though January 26th
23 is her birthday.
24

25 Ms. Wysocki noted that staff would work around the January 26, 2010 date.
26

27 **XIII. Collection of Electronics Waste in Champaign County**
28

29 Ms. Monte noted that legislation that was passed last fall places the responsibility of collection of
30 electronic waste from consumers back on the manufacturers. She said the State of Illinois has
31 established a complicated system which will be in a state of flux for the next few years. She said that
32 what it all boils down to is that it places more responsibility on manufacturers for participating in
33 electronic waste recycling. She noted that as of January 1st, no charge can be made to residents to recycle
34 electronics.
35

36 Ms. Monte said that this is a good thing because with the budget being so tight, there will be no increase
37 in funds available from the County to put towards an electronic recycling program this year. She said
38 that she hopes that a private company will locate in the immediate area that will handle electronic
39 recycled items and then take care of processing the manufacturer's credits to the State.
40

41 Ms. Monte noted that the News Gazette will be providing an indoor facility for a drop off site and will
42 be absorbing a large part of the advertising costs.

1 Ms. Wysocki asked whether the Saturday drop offs will be discontinued. Ms. Monte said that to make it
2 more convenient, there will be quarterly drop offs, on Saturdays, at an indoor facility. She noted that the
3 Cities of Urbana and Champaign, as well as the Village of Savoy will be participating in both cost and
4 staffing. Ms. Monte noted that a few outlying villages are served by the Lincoln Heritage RC & D that
5 has a program to pick up electronic waste on a scheduled delivery day for the smaller, outlying rural
6 villages and towns.
7

8 **XIV. County Planner Work Plan for FY 2010**
9

10 Ms. Chavarria noted that for the last few years the County Planning Contract Budget has been largely
11 dedicated to the creation of the LRMP, however, with that project coming to an end, staff was seeking
12 approval of the work plan for Fiscal Year 2010 which can be located on page 52 of the ELUC packet.
13

14 Ms. Chavarria noted that the contract total for Fiscal Year 2010 is \$76,169 which is the same amount as
15 the Fiscal Year 2009. She noted that approximately \$22,000 will be rolled over from last Fiscal Year to
16 continue the LRMP process without requesting additional money. Ms. Chavarria said that staff was
17 requesting approval of the tasks that are outlined on page 52.
18

19 **Mr. Langenheim moved, seconded by Ms. Anderson to approve the County Planner Work Plan**
20 **for Fiscal Year 2010. The motion carried by a show of hands.**
21

22 **XV. Hiring Professional Consultants for Review of Certain Technical Studies for Wind Farm**
23 **County Board Special Use Permits**
24

25 **Mr. Langenheim moved, seconded by Mr. Kurtz to recommend hiring professional consultants for**
26 **review of certain technical studies for wind farm County Board Special Use Permits.**
27

28 Mr. Kurtz stated that he wanted to give the Committee a quick update and then get to the point. He said
29 that he has been in negotiations, discussions, with Horizon, Midwest and Invenergy. He said that he had
30 hoped that Invenergy would bring in their first application in November, however, that has changed. He
31 said that they will be bringing in, along with Midwest, their first applications in late winter of 2010 and
32 they hope to start building by the end of 2010. He said that he was also in discussion with Horizon who
33 will push up their schedule from 2011 to 2010. He noted that their application will take place
34 somewhere around September of 2010 with building beginning in the spring of 2011.
35

36 Mr. Kurtz said that this constitutes three companies with a total of 150 turbines. He stated that he had
37 also discussed local jobs with them and during those discussions, they have committed to nearly 600
38 jobs for these three projects with three hundred of them being local union jobs.
39
40

1 Mr. Kurtz continued by saying there have been studies done over a period of time throughout the state by
2 the wind farms with independent companies. He noted that there had only been one other county in the
3 entire state that had done these technical studies and it seemed obvious that noise is not a problem for
4 the most part in any other county with only one other county deciding to spend that kind of money.
5

6 Mr. Kurtz said that he wanted to be consistent. He said that he voted against Mr. Smucker's resolution
7 because of dollars spent and he would do the same here. He noted that each of these technical studies
8 could run up to \$5000 each or \$15,000 for the three companies that have indicated they will be building
9 in Champaign County. He noted that he knew that there are other companies that are vying possibly for
10 locations in Champaign County. He said that with those other two it would mean \$25,000 out of our
11 General Fund. He said that he would vote against this because first, that money is necessary for the
12 General Corporate Fund at this time with every penny being important. He added that also, the newest
13 technology on these turbines are that they are at least 10 to 15 percent quieter than the ones that have
14 been studied recently in 2006, 2007 and 2008. He said that he felt that it would be unnecessary because
15 we don't have any turbines up. He said that it will all be theoretical if they do these studies and there
16 can be a significant plus or minus on their results. He noted that in the case of some of these other
17 studies it was done on actual standing turbines and for the most part, 96% of the turbines studied three or
18 four years ago, were in compliance with the applicable Illinois Pollution Control Board noise
19 regulations.
20

21 He said that he felt at this point, it is unnecessary to spend this kind of money and we need to get these
22 applications in and moving as quickly as possible to see the revenues from these projects and these jobs.
23 He stated that millions of dollars are at stake here.
24

25 Mr. Langenheim said that the noise from the turbines is no problem at all to the wind farm company. He
26 said that there is data available that needs to be studied. He said that the residents of Champaign County
27 are going to have to listen to the turbines and that the notion that these companies are not going to build
28 the wind farms in Champaign County because there are objections to possible inconveniences or actual
29 hazards is poppycock. He said that if the turbines are economically feasible, they will be built. Mr.
30 Langenheim said that the life, happiness and comfort of the residents of Champaign County should be
31 protected. He said that the County should have its own information and not be getting it from talented
32 lobbyists for wind farm developers.
33

34 Mr. Weibel said that Mr. Kurtz had stated that only one other county has a noise provision in their
35 ordinance with respect to wind farms. He pointed out that there are only about ten counties that have
36 such an ordinance so it is one out of ten counties, not one out of 102 counties. Mr. Weibel pointed out
37 that the application fees were set to cover the costs of a noise study. He noted that essentially the money
38 has been allocated from the fees charged. He noted that if the services that were proposed are now going
39 to be reduced, the fees should also be reduced. He said that he knew that Mr. Schroeder expressly made
40 the motion in the adoption of the wind farm ordinance to cover the costs. He noted that this is not a
41 money maker, it is to do what must be done to process the Special Use Permit. He said that these studies
42 are important to the people who are on the fringes of the wind farms who are not going to be making

1 money from the wind farms. Mr. Weibel said that people who are making money from the wind farms
2 are not going to care about the sound, however, people who are not going to make money are going to
3 care about the sound.
4

5 Ms. Anderson asked whether a noise study would have to be done on each application or on the first
6 application only. Mr. Hall said that every wind farm has unique features with respect to home locations
7 and distances from wind turbines. He said that, in his opinion, there is no reason to believe that one
8 study would mean anything for another wind farm. Mr. Hall said that anyone can verify how far you
9 have to be from a single turbine to be a specific noise level given how much sound is coming from the
10 turbine. He said that these studies deal with how many homes there are around the perimeter of the wind
11 farm and the proximity they have to the number of turbines which varies from wind farm to wind farm.
12

13 Mr. Hall said that the main reason that he believes a consultant is necessary is to validate what the wind
14 farm developer is saying which will speed up the public hearing process. He said that the County Board
15 will have no more than 30 days to make a decision once the Zoning Board of Appeals has made their
16 recommendation. He said that the more uncertainty that can be eliminated, the easier it will be to meet
17 the 30 day deadline for a decision.
18

19 Mr. Nudo said that he understood that the well being of the citizens of Champaign County is important.
20 He said that there are other ways to ensure that without having the County pay for the study. He said that
21 the wind farm company could be required to provide a study conducted by an independent company of
22 the County's choice and the County could also ask to be held harmless against any and all inconsistencies
23 for errors in the study or if the product that was installed was not consistent with their application. He
24 said that the key thing is that he did not believe this was the County's expense. He said that he did not
25 understand why the County had to pay for the study if the County can require the study to be conducted by a
26 specific company.
27

28 Mr. Weibel asked Mr. Hall how could Mr. Nudo's proposal be accomplished. Mr. Hall said that it was
29 his opinion that there would have to be an amendment to the ordinance.
30

31 Mr. Nudo asked how his proposal differs from Mr. Hall's request. He asked whether Mr. Hall's
32 proposal was currently in the Zoning Ordinance. Mr. Hall said that it was not, however, the fees are set
33 at such a rate as to include the noise study consultant fees.
34

35 Mr. Nudo said he did not understand how it is okay for Mr. Hall's request to not be in the Ordinance and
36 yet his suggestion of having the wind farm company pay for a study to be done with the company of the
37 County's choosing would have to be done as an amendment to the ordinance provisions.
38

39 Mr. Hall said that the way that the Ordinance is structured is the minute an application is received, the
40 information can be sent out for review and received back in time to go to the ZBA without slowing down
41 the process. He said that as he understood Mr. Nudo's suggestion, negotiations would have to be
42 entered into which would have to be written into the Ordinance to force them into negotiations.

1 Mr. Nudo recalled that the wind farm companies said that they would provide noise studies during the
2 permitting process. He asked whether Mr. Hall was saying that he did not trust the study that would be
3 provided by the wind farm companies.
4

5 Mr. Langenheim said that he most emphatically agreed with the notion that the County should not trust
6 the wind farm company to tell us that their noise levels will or will not be an inconvenience or harmful
7 to the residents of Champaign County.
8

9 Mr. Nudo said that there is a way around this, but not on his dime.
10

11 Mr. Weibel reiterated that the money has been allocated in the fee structure for these studies. He said
12 that it will not cost the County anything. He agreed with Mr. Hall that if Mr. Nudo's proposal is
13 accepted, then an amendment will have to be written to incorporate the negotiation process.
14

15 Mr. Nudo said that if Mr. Hall's proposal is that the County has to pay for the study prior to the
16 permitting process, then that should be an amendment to the Zoning Ordinance as well. Mr. Hall said
17 that that was not his proposal. He said that the wind farm company will develop a noise study. He said
18 that what he was suggesting was to have an independent consultant validate that noise study to help the
19 public hearing process go much smoother and quicker. He said that that is why the fees were put in
20 place to begin with.
21

22 Ms. Anderson said that it was also her understanding that the fees were set to include the noise studies.
23

24 Ms. Wysocki stated that the bottom line is that the County is not paying for the study, it is the petitioner
25 who is paying for the study. Mr. Hall said that it was the petitioner's fees that are paying for the study.
26 He said that the petitioner's fees are deposited into the County's funds and then the County can choose
27 to spend or not to spend them on these studies.
28

29 Mr. Kurtz said that no matter how it is stated, the County is losing \$5,000 out of the General Corporate
30 fund for each of these studies. He said that it doesn't matter how it comes into our pocket, once it's in
31 there, it's in there until it is taken out and thrown into the air and it's gone. Then the next company
32 comes in and the same thing happens again. He said that it is still our money, it doesn't matter how it
33 got there.
34

35 Mr. Langenheim asked whether it was correct that the \$20,000 fee going into the General Corporate fund
36 is to cover items of this sort. Mr. Hall said that that was correct. He noted that it is reflected in the
37 Finding of Fact that was included in the packet.
38

39 Mr. Langenheim said that in that case, there is no substantive difference between Mr. Hall's proposal
40 and Mr. Nudo's proposal. He said that he did not want to trust the company that is being regulated to do
41 the regulating.
42

1 Mr. Weibel pointed out that our money is the taxpayer's money and those taxpayers on the edge of the
2 wind farm who are not benefitting by being a part of the wind farm should be protected.
3

4 **The vote was:**

5				
6	Anderson - yes	Doenitz - no	Ammons - absent	Jones - no
7	Langenheim - yes	Kurtz - no	Moser - no	Schroeder - absent
8	Wysocki - yes			
9				

10 **The motion failed.**

11
12 **XVI. Monthly Reports**

13
14 **A. September 2009**

15 **B. October 2009**

16
17 **Mr. Moser moved, seconded by Ms. Anderson to receive and place of file the Department of**
18 **Planning & Zoning Monthly Reports for September 2009 and October 2009. The motion carried**
19 **by voice vote.**

20
21 **XVII. Other Business**

22
23 There was none.

24
25 **XVIII. Designation of Items to be Placed on County Board Consent Agenda**

26
27 There was none.

28
29 **XIX. Adjournment**

30
31 The meeting adjourned at 8:48 p.m.

32
33 Respectfully submitted,

34
35
36
37
38 Secretary to the Environment and Land Use Committee