



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

**MINUTES – APPROVED AS DISTRIBUTED 9/8/16**

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DATE: Thursday, August 4, 2016  
TIME: 6:30 p.m.  
PLACE: Lyle Shields Meeting Room  
Brookens Administrative Center  
1776 E Washington, Urbana, IL 61802

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**Committee Members**

Present	Absent
Aaron Esry (Chair)	
C. Pius Weibel (Vice Chair)	
Astrid Berkson	
Stan Harper	
Matt Hiser	
Patti Petrie	
Jon Schroeder	

**County Staff:** Rick Snider (County Administrator), John Hall (Zoning Administrator), Tammy Asplund (Recording Secretary), Jeff Blue (Highway Engineer)  
**Others Present:** Susan Monte (Regional Planning Commission), Susan Chavarria (Regional Planning Commission), Kathleen Oldrey (Regional Planning Commission), Jamie Hitt (Planning and Zoning)

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**MINUTES**

**I. Call to Order**

Committee Chair Esry called the meeting to order at 6:32 p.m.

**II. Roll Call**

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

**III. Approval of Agenda and Addendum**

**MOTION** by Ms. Petrie to approve the agenda as distributed; seconded by Mr. Weibel. Upon vote, the **MOTION CARRIED** unanimously.

**IV. Approval of Minutes**

A. ELUC Committee meeting – June 9, 2016

**Ms. Berkson entered the meeting at 6:34 p.m.**

**MOTION** by Ms. Petrie to approve the minutes of the June 9, 2016 ELUC meeting as distributed; seconded by Mr. Harper. Upon vote, the **MOTION CARRIED** unanimously.

## V. Public Participation

Dennis Mickunas noted that he does not support the proposed open burning ordinance. Mr. Mickunas noted that only two complaints against landscape waste burning have been logged in 2015 and 2016. Mr. Mickunas additionally noted that some landscape waste items are too large for other methods of disposal and no other counties in Illinois completely ban landscape waste burning. Mr. Mickunas advocated for setting guidelines for open burning instead of complete restriction.

Ronald McGaffin noted that he does not support the proposed open burning ordinance unless he is provided with an alternative method for disposing his leaves and landscape waste.

Kylene Gilbert noted that smoke from the unincorporated neighborhood bordering her incorporated neighborhood often fills her and her neighbors' yards. The smoke is hard to breathe and has entered her home when windows are left open. Ms. Gilbert's son was hospitalized due to respiratory failure and can no longer be outside or have the windows open when residents in the unincorporated neighborhood are burning landscape waste. Ms. Gilbert supported the proposed open burning ordinance and provided the committee with photos and a handout of times and dates of burning that has occurred in her neighborhood.

Stephen Platt noted that he does not support the proposed open burning ordinance and supported Mr. Mickunas and Mr. McGaffin's comments. He noted that residents in Urbana Township and Champaign Township will be impacted differently from the proposed ordinance, and he asked the board to consider the unintended consequences of passing an ordinance based on a small number of complaints.

Kari May supported the proposed open burning ordinance and Ms. Gilbert's comments, and noted that she is Ms. Gilbert's neighbor. Ms. May noted that her daughter has a respiratory condition that the smoke aggravates and she was unaware of the burning problem in the unincorporated neighborhood when she purchases her home.

Keith Padgett, Highway Commissioner at Champaign Township Road District, noted that a burn pit was installed in 2002 for landscape waste that was found dumped along roads in the Champaign Township Road District. Mr. Padgett noted that he serves 7 subdivisions with a leaf pickup program in order to deter residents from burning their waste. If the proposed open burning ordinance is passed, Mr. Padgett noted that he will experience a large increase in the amount of landscape waste that is dumped along roads in the Champaign Township Road District. Mr. Padgett noted that he will not continue his leaf pickup program if the ordinance is passed.

Joshua Johnson noted that he posts flyers and collects fees for Mr. Padgett's leaf pickup program through the Champaign Township Road District. Mr. Johnson noted that the service is not utilized in his neighborhood and many of his neighbors still choose to burn. Mr. Johnson supported the proposed ordinance.

Sandra Klitzing noted that she has asthma and a neighbor who regularly burns. Ms. Klitzing has had to install an air filtration system in her home due the smoke from open burning. Ms. Klitzing has contacted the City of Champaign, the Champaign Police Department and the Champaign Fire Department and each entity has told her that there is nothing that can be done because the burning occurs in an unincorporated area. Ms. Klitzing asked the committee to seriously consider the burning ban but to also be fair to those who might have financial difficulties with properly disposing of their waste.

Rob Schaffer noted that he lives in an unincorporated area and often burns to dispose of landscape waste. Mr. Schaffer noted that the ordinance is currently too broad and does not address specific air quality issues. He noted that the ordinance should focus on specific issues such as smoldering piles of leaves and wet grass, heavy smoke patterns and unintended open fires. Mr. Schaffer additionally noted that the ordinance should include language about common sense issues such as not burning when the wind is

blowing into a neighbor's yard and not burning within 200 or 300 feet of a residence with known medical issues.

Ken Jones asked the board to consider and propose better alternatives before passing a complete ban. Mr. Jones does not often burn, but he would like to be able to dispose his landscape waste in a responsible place without paying a large amount of money to do so.

Bill Fisher noted the quality of life for people of all ages and medical conditions is impacted when landscape waste is burned. Mr. Fisher asked for all alternatives to be considered for each side of the argument, but he supports the burning ban if no other options can be found.

Cathy Eastman noted that she lives on one side of the street where she is within Urbana city limits while her neighbors across the street live in unincorporated Champaign County. Ms. Eastman noted that burning occurs in irregular intervals and her family member suffers from allergies when smoke is in her yard and house. Often times, trash and cardboard are burned along with landscape waste and Ms. Eastman does not have a way to keep the smoke out of her home. However, Ms. Eastman is sympathetic to those who burn because they do not have a better, cost-effective option available. Ms. Eastman asked the board to consider all alternatives to be considered for each side of the argument, but she supports the burning ban if no other options can be found. Additionally, Ms. Eastman noted that the number of complaints is inaccurate due to residents not knowing who to contact about the problem.

Arch Robison noted that he supports the burning ban, but he understands that those who burn leaves need to be provided with a cost-effective alternative to burning. Mr. Robison noted that open burning made sense when population density was less, but population density has increased.

Linda Dulaney noted that she supports the burning ban and reported that she spent 42 days in Carle Hospital due to respiratory problems. Ms. Dulaney commented that putting one's finances ahead of their neighbors' health is not right.

John Santos supported the burning ban. After listening to discussions, Mr. Santos proposed that the problem stems from leaf burning and the ordinance should focus on banning leaf burning.

Ruth Mitchell supported the burning ban. Ms. Mitchell noted that she is the president of the Homeowners Association in her neighborhood. She noted that about approximately 50% of the residents use Mr. Padgett's leaf collection program, but there are still people who burn landscape waste along with trash and other items.

Bill Earl asked the committee how he should dispose of his leaves when he lives on an acre lot with 11 trees and Urbana does not provide any collection services.

## **VI. Communications**

None

## **VII. For Information Only**

### *A. Mid-Course Summary Regarding Status of LRMP Implementation (to be available prior to meeting)*

Ms. Monte noted that this summary is a preliminary document and is willing to provide more detailed information to the committee at the next meeting.

Ms. Petrie asked for more information to be provided at a future meeting in regards to the goals of the project. Ms. Monte confirmed.

B. *FY2017 Budget Proposal for an Additional Staff Position in the Department of Planning & Zoning*

Mr. Hall reported an additional staff position will be needed to keep up with the demands of the MS4 Program on an annual basis. Zoning cases and departmental workload has increased during FY2016, and senior staff members do not have the proper amount of time to focus on the MS4 Program. Mr. Hall noted that while interns are a great resource, it is unlikely that MS4 Program deadlines will be met as on-going staffing needs continue to grow. Mr. Hall reported that more hours from the RPC Planning Contract can be used as an alternative to hiring an additional staff member.

Ms. Petrie asked Mr. Hall if the size of the area required to be included in the MS4 program will grow to include the entire county as time progresses. Mr. Hall confirmed and noted that many people expect that the 2020 census may cause the MS4 Program to grow to include the full county. Additionally, Ms. Petrie also thanked Mr. Hall for informing the committee that the additional staff member will be utilized into the future for all Planning and Zoning tasks.

Mr. Weibel supported adding an additional staff member.

Mr. Harper asked if the Illinois EPA will provide funding for the mandates they are imposing on Mr. Hall. Mr. Hall noted that mandates are the result of the Clean Water Act and the Illinois EPA enforces the federal Clean Water Act.

Mr. Schroeder noted that the Illinois EPA additionally interprets the Clean Water Act. Additionally, Mr. Schroeder commented that the mandates are very broad and the EPA does not give any guidelines on how to be in compliance with the program.

C. *Notice of Application for Permit to Manage Waste at former Champaign Municipal Landfill located at 3616 West Bloomington Road (US Rte 150), Champaign.*

Mr. Hall noted that Champaign Municipal Landfill is not under any violation, but they would like to have a permit to manage waste in order to maintain best business practices.

D. *Notice of Application for Permit to Manage Waste at Rantoul Municipal Landfill located at CR3200N and CR1800E, Rantoul*

Mr. Hall noted that Rantoul Municipal Landfill is not under any violation, but they would like to have a permit to manage waste in order to maintain best business practices

Ms. Petrie asked if either landfill is over the Mahomet Aquifer. Mr. Hall noted that the Champaign Municipal Landfill is likely over the aquifer while the Rantoul Municipal Landfill is not.

**VIII. Items to Receive & Place on File by ELUC Committee to Allow for 30-day Review Period**

A. *Proposed Landscape Waste Burning Ordinance*

Ms. Monte noted that the proposal stems from discussions at the February 2015 meeting where ELUC members requested that a proposal be made for a landscape waste burning ordinance that Champaign County could administer and enforce. This is a proposal to amend the Champaign County Public Nuisance Ordinance to prohibit the burning of landscape waste within certain designated areas in unincorporated Champaign County.

Ms. Oldrey reported that the proposal for a landscape waste burning ordinance was prompted by complaints received about open burning from individuals with respiratory health problems. While researching the issue, stakeholders in Champaign, Urbana, Rantoul, Mahomet and Savoy were

contacted and the unincorporated areas around Savoy, Mahomet and Rantoul did not seem to have the need or desire to include them on any proposal going forward.

Ms. Monte noted that two options are included in the proposal. Option A includes a 1,000-foot area around the entirety of the City of Champaign and the City of Urbana. Option B includes a 1,000-foot area around areas that already offer leaf collection programs and services. At present, Champaign Township is the only area in the map that provides leaf collection programs and services. Ms. Petrie asked that more research be completed to include the three areas on the Option A map that are not entirely enclosed.

Mr. Schroeder asked what type of materials are burned at Mt. Hope Cemetery. Ms. Monte noted that cemetery maintenance staff members often burn leaves and landscape waste and leave unattended, smoldering piles.

Ms. Monte reported that alternatives to landscape waste burning include: leaving leaves on the lawn while mowing in order to have the leaves shredded and their nutrients added to the soil; mulching grass clippings and leaves to use as mulch around shrubs and plants; collecting landscape waste for an on-site compost pile; bringing landscape waste to the recycling center for a per bag fee; paying a contractor to remove the landscape waste from the property.

Ms. Berkson noted that item 3. F. 6. does not adequately address the burning problem as it allows for burning that does not need to exceed 100 feet from an adjacent property. Ms. Monte noted that maps would need to be made on a case by case basis in order to enforce this item. Mr. Hall noted this provision sets a standard for how away from an adjacent property you must be and it was developed for a worst case scenario.

Ms. Monte noted that enforcement of the proposed ordinance would fall under the responsibilities of the Planning and Zoning Department. Fire protection districts are not required to take any enforcement action.

Ms. Petrie noted that the proposed ordinance does not include any incentives for residents to change behaviors and asked how organized efforts in neighborhoods can be developed to tackle landscape waste problems. Ms. Petrie also noted that she is concerned that a 1,000-foot prohibitive burn area is not large enough to accommodate for different types of weather on different days. Ms. Petrie asked for clarification of an unrestricted area on the Option B map.

Mr. Padgett explained that the area Ms. Petrie questioned is Dobbins Downs and sits on the dividing line between Hensley Township and Champaign Township. Hensley Township does not provide alternatives to landscape burning so it is therefore not included in the restricted area.

Mr. Harper noted more research needs to be completed in order to provide alternatives to burning before this proposal is put into place.

Mr. Hiser commented that he supports this proposal due to the public health issues surrounding landscape waste burning.

Mr. Schroeder supported Mr. Harper's comments about conducting more research on burning alternatives and asked for wood to be removed from the proposal.

Ms. Berkson commented that health costs associated with respiratory health problems far outweigh the costs for responsibly removing landscape waste from one's property.

Mr. Hall asked the committee if the proposal for the burning restrictions around Champaign Township are acceptable due to the leaf collection programs that are already in place. Mr.

Schroeder confirmed. Ms. Berkson noted that if other townships and entities would buy into the Champaign Township program or establish similar programs, things would work nicely.

Mr. Weibel noted that he has many trees on his property and he mulches and composts the landscape waste from them. Additionally, Mr. Weibel's wife is asthmatic and has had to take her to emergency room due to smoke from neighbors. Mr. Weibel noted that the health costs associated with respiratory care are much higher than paying for a service to come to your property and collect landscape waste. Mr. Weibel asked for clarifications to be established for bonfires.

Mr. Harper asked how much it costs to install and operate a professional burn pit such as the burn pit established by Champaign Township. Mr. Padgett noted rehab costs for the burn pit in 2013 totaled \$80,000.

**IX. Items to be Approved by ELUC**

A. *Recreation & Entertainment License*

1. *Recreation & Entertainment License: Maria Guadalupe Flores Rojas d.b.a. El Dorado Corp. for Mexican dancing with live band and DJ at the Champaign County Fair Association Fairgrounds, 1302 North Coler Avenue, Urbana IL, August 27 – August 28, 2016.*
2. *Recreation & Entertainment License: Maria Guadalupe Flores Rojas d.b.a. El Dorado Corp. for Mexican rodeo with dancing with live band and DJ at the Champaign County Fair Association Fairgrounds, 1302 North Coler Avenue, Urbana IL, September 10 – September 11, 2016.*

**OMNIBUS MOTION** by Ms. Petrie to approve the Recreation & Entertainment Licenses for Maria Guadalupe Flores Rojas, August 27 – August 28, 2016 and September 10 – September 11, 2016; seconded by Mr. Hiser.

Ms. Berkson asked why the licenses are redacted. Mr. Hall noted that driver's license and social security numbers are included and cannot be made public.

Upon vote, **MOTION CARRIED** unanimously.

B. *Champaign County Coordination of October 15, 2016, Countywide Residential Electronics Collection (CREC)*

Ms. Monte noted that contractor for the October collection opted out of this agreement and a subsequent RFP was issued. This is a request to approve County coordination of the event with a different contractor. Efforts will also be made to limit the collection to Champaign County residents and an online registration system will be used to help limit the number of electronics collected.

Ms. Petrie asked for a reminder of the cost sharing amounts with the contractor and the cost sharing amounts between the City of Champaign and Champaign County. Ms. Monte noted that Champaign County assumes the population base of all non-participating local governments in the County. An appeal was sent to all non-participating local governments asking that they pay their fair share for the event of approximately \$0.17 per person. A second appeal will be sent within the coming weeks. Ms. Petrie asked if any total costs have changed since the initial proposal in February. Ms. Monte noted that there is a total increase of \$13,000 and will cost Champaign County approximately \$6,000 more than in past events.

**MOTION** by Mr. Harper to approve the Champaign County Coordination of October 15, 2016, Countywide Residential Electronics Collection (CREC); seconded by Ms. Petrie. Upon vote, **MOTION CARRIED** unanimously.

C. *Request to Stop Work on Assistance to Wilber Heights Subdivision due to Inability to Affect a Jurisdictional Transfer of Wilber Avenue*

**MOTION** by Mr. Harper to approve the Request to Stop Work on Assistance to Wilber Heights Subdivision due to Inability to Affect a Jurisdictional Transfer of Wilber Avenue; seconded by Mr. Weibel.

Ms. Monte noted that no local government highway authority has expressed in any interest in maintaining Wilber Avenue and the work can not be completed without their involvement.

Ms. Petrie asked if intergovernmental cost share agreements have been discussed in order to keep the project moving forward in a timely manner. Ms. Monte noted that one third of Wilber Avenue is within the City of Champaign, but no other entity has been identified to establish a cost sharing agreement for the additional two thirds of Wilber Avenue. Mr. Hall confirmed.

Mr. Weibel asked who currently maintains Wilber Avenue. Mr. Hall noted that IDOT currently maintains Wilber Avenue. Mr. Schroeder asked if IDOT is responsible for reconstruction costs if they are already providing maintenance to the road. Mr. Blue noted Wilber Avenue is technically an IDOT road and they are currently providing minimum upkeep. Mr. Schroeder asked if Champaign Township could place a weight limit sign on the road. Mr. Blue noted that it is IDOT's jurisdiction.

Upon vote: Aye (6) Esry, Berkson, Schroeder, Shore, Weibel

Nay (1) Petrie

**MOTION CARRIED.**

X. **Items to be Recommended to the County Board**

A. *Zoning Case 833-AM-16: Request by Terry and Janice Wolf d.b.a Wolf Ag Solutions, Inc. to amend the Zoning Map to change the zoning district designation from the AG-2 Agriculture District to the B-4 General Business District for the continued use of a Farm Equipment Sales and Service business with a Trailer Sales Area (open lot) for Wolf Ag Solutions located at 2758 CR1100N (County Highway 15), Homer.*

**MOTION** by Mr. Harper to approve Zoning Case 833-AM-16; seconded by Ms. Berkson. Upon vote, **MOTION CARRIED** unanimously.

B. *Intergovernmental Cost-Share Agreement for the 2016 Countywide Residential Electronics Collection*

**MOTION** by Ms. Petrie to approve the Intergovernmental Cost-Share Agreement for the 2016 Countywide Residential Electronics Collection; seconded by Mr. Hiser. Upon vote, **MOTION CARRIED** unanimously.

C. *Agreement Between the Contractor, the Coordinator, and the Host Site for the 2016 Countywide Residential Electronics Collection*

**MOTION** by Ms. Petrie to approve Agreement Between the Contractor, the Coordinator, and the Host Site for the 2016 Countywide Residential Electronics Collection; seconded by Mr. Hiser.

Ms. Monte noted that no additions or corrections have been made by the State's Attorney's office or the contractor.

Upon vote, **MOTION CARRIED** unanimously.

D. *Amending the RPC FY16 County Planning Contract to re-allocate work hours from LRMP Implementation to MS4 Storm Sewer System Map Preparation*

**MOTION** by Mr. Schroeder to approve Amending the RPC FY16 County Planning Contract to re-allocate work hours from LRMP Implementation to MS4 Storm Sewer System Map Preparation; seconded by Mr. Weibel. Upon vote, **MOTION CARRIED** unanimously.

E. *FY2017 County Planning Contract Proposal*

**MOTION** by Mr. Weibel to FY2017 County Planning Contract Proposal; seconded by Mr. Schroeder.

Ms. Monte noted that the contract has been updated to accommodate Mr. Hall's request for the MS4 program. Additionally, hours have been allocated for environmental justice projects, solid waste management updates and natural resource assessment system.

Upon vote: Aye (6) Esry, Berkson, Schroeder, Shore, Weibel  
Nay (1) Petrie

**MOTION CARRIED.**

F. *Proposed Decommissioning of Mabel Thomas Park located at 2603 Campbell Drive, Champaign*

**MOTION** by Ms. Petrie to approve Proposed Decommissioning of Mabel Thomas Park located at 2603 Campbell Drive, Champaign; seconded by Ms. Berkson.

Ms. Petrie commented that Ms. Mabel was instrumental in many community projects, including the John St. Watershed project, and is sad to see this park decommissioned.

Mr. Weibel asked if the playground equipment is still used. Ms. Hitt noted that complaints were raised against the park and a fence was put around the property. The equipment is past its expected shelf life.

Upon vote, **MOTION CARRIED** unanimously.

**XI. Monthly Reports**

A. *May, June 2016*

**MOTION** by Mr. Esry to accept and place on file the May, June 2016 Monthly Reports.

**XII. Other Business**

None

**XIII. Chair's Report**

None

**XIV. Designation of Items to be Placed on Consent Agenda**

X. B, X. C, X. D, X. F

**XV. Adjournment**

**MOTION** by Ms. Berkson to adjourn; seconded by Mr. Hiser. Upon vote, the **MOTION CARRIED** unanimously. There being no further business, Mr. Esry adjourned the meeting at 9:13 p.m.