

CHAMPAIGN COUNTY BOARD COMMITTEE OF THE WHOLE MINUTES

Tuesday, March 2, 2010

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

MEMBERS PRESENT: Jan Anderson, Steve Beckett, Ron Bensyl, Lloyd Carter, Lorraine Cowart, Chris Doenitz, Matthew Gladney, Stan James, John Jay, Brad Jones, Greg Knott, Alan Kurtz, Ralph Langenheim, Brendan McGinty, Diane Michaels, Alan Nudo, Steve O'Connor, Michael Richards, Giraldo Rosales, Jonathan Schroeder, Samuel Smucker, Barbara Wysocki

MEMBERS ABSENT: Carol Ammons, Thomas Betz, Steve Moser, Larry Sapp, C. Pius Weibel

OTHERS PRESENT: Jeff Blue (County Engineer), Kat Bork (Administrative Secretary), Deb Busey (County Administrator), Susan Chavarria (RPC Community Development Manager), Nicole George (RPC Transportation Planner), John Hall (Planning & Zoning Director), Andrew Levy (RPC Planner Analyst), Susan Monte (RPC County Planner), Rita Morocoima-Black (RPC Transportation Planning Manager), Alan Reinhart (Facilities Director)

CALL TO ORDER

Wysocki called the meeting to order at 6:00 p.m.

ROLL CALL

Bork called the roll. Beckett, Bensyl, Carter, Doenitz, Gladney, James, Jay, Jones, Knott, Kurtz, Langenheim, McGinty, Michaels, Nudo, O'Connor, Richards, Rosales, Smucker, and Wysocki were present at the time of roll call, establishing the presence of a quorum.

APPROVAL OF COUNTY BOARD RESOLUTION TO MEET AS COMMITTEE OF THE WHOLE

MOTION by Kurtz to approve the County Board Resolution to meet as a committee of the whole; seconded by James. **Motion carried with all ayes.**

APPROVAL OF MINUTES

MOTION by O'Connor to approve the Committee of the Whole minutes of February 4, 2010; seconded by James.

Anderson and Schroeder entered the meeting at 6:02 p.m.

Motion carried with all ayes.

APPROVAL OF AGENDA/ADDENDA

MOTION by O'Connor to approve the agenda; seconded by Kurtz.

Wysocki announced the semi-annual review of closed session minutes would be postponed due to changes in the Freedom of Information Act regulations that necessitate further legal review to ensure the County's practices are consistent with FOIA. Agenda item 10B was also removed from the agenda.

Rosales entered the meeting at 6:03 p.m.

Motion carried with all ayes.

PUBLIC PARTICIPATION

Wysocki announced the five-minute limit would be imposed following the length of public participation at last month's meeting.

Virginia Ziegler spoke about her family's 105 year old farm and the grandson who dreams about being the sixth generation to farm the ground. She stated special interests were in Washington D.C. this week to lobby for the Olympian Drive project, but local people are speaking against the project. She referred to a WDWS poll that showed poll participants were three to one against extending Olympian Drive. She urged the County Board to vote no on Olympian Drive.

Cowart entered the meeting at 6:05 p.m.

Jed Gerdes recommended the County not change the zoning ordinance to accommodate a wind farm waiver.

Herb Schildt spoke strongly against John Hall's request to amend the zoning ordinance because it will make all standard conditions for wind farms subject to waiver. The zoning code is clear that the rules concerning wind farms are not currently subject to waiver. The code reflects the expectation that the wind farm amendment defines rules, not guidelines, and this was the understanding most people had when the wind farm amendment was being crafted. He questioned why the County Board would spend so much time and money on creating the rules only to waive them. He questioned why the wind farm regulations should be subject to waiver when the regulations provide basic protection for county residents. These are minimum standards and should not be subject to waiver. Schildt advised the County Board undertake no changes to the zoning code to alter the fact that wind farms are not subject to waiver. .

Bradley Uken, the Champaign County Farm Bureau Manager, spoke on behalf of the organization about the Land Resource Management Plan (LRMP). The Farm Bureau does not have

any views on the LRMP in its entirety, but they do have views on specific sections. Uken stated the Farm Bureau supports the one new lot allowed per forty acres up to a total of four new lots proposed policy. He felt it was a guiding principle to help ensure the sustainability of agriculture. Some people think this limits personal property rights, but a study completed in 2005 entitled "Theoretical Potential Lots by Right Under Different Regulations" estimates between 19,000-23,000 new small lots are able to be developed in the county under the one per forty acres scenario. Uken supported the policy of establishing a maximum lot size in new developments to help limit loss of farmland, having the County examine the use of farmland preservation tools, and the fundamental position that any development should be compact and contiguous. Policies like this will help ensure farming plays a role in the future of the county. He commended the LRMP Steering Committee in its efforts to assemble the plan.

COMMUNICATIONS

Kurtz announced that he attended the Siting, Zoning, & Taxing Wind Farms Conference in Peoria last week and learned about what would happen in Illinois during 2010 and 2011. Much of the conference's agenda focused on wind farm taxation and best practices of zoning boards. He interacted with wind farms developers, including Ben Hecht, the Senior Business Developer for Iberdrola Renewables, the world's largest wind turbine developer. Kurtz announced Iberdrola will place a 300 megawatt project in the Champaign County/Ford County area starting next year. This looks like it could add 300-400 jobs to Champaign County. Kurtz spoke to the Livingston County Board Chair, who said his county cleared almost \$2 million in wind turbine revenue capture.

HIGHWAY & TRANSPORTATION

Monthly Reports

MOTION by Beckett to receive and place on file the County & Township Motor Fuel Tax Claims Monthly Reports for February 2010; seconded by Kurtz. **Motion carried with all ayes.**

County Engineer

Resolution for Award of Contract for Various Signs and Sign Posts – Section #09-00427-00-SG

Blue explained the Highway Department has been working on a project to replace all the various signs and sign posts in the county for a little over a year. The deficient signs on county roads, township roads, and small municipality roads will be replaced. The Highway Department performed a sign inventory and was awarded a federal grant to replace the signage because a new law mandates signs must meet a minimum level of retro-reflectivity at night. Many signs on the county system do not meet this standard. The project bids were opened on February 22, 2010. The engineer's estimate was \$298,369.00 and the low bid was \$261,930.85 from Allied Municipal Supply in Taylorville. Blue requested the committee's approval to award the contract.

MOTION by Jay to approve the Resolution for Award of Contract for Various Signs and Sign Posts – Section #09-00427-00-SG; seconded by Bensyl.

Bensyl recalled that Blue had indicated the new Highway Fleet Maintenance Facility would have a sign shop when it was built. Blue stated the facility has a separate room for sign storage.

The department did not move ahead with installing a sign shop because the graphic design software necessary to make signs is expensive. Most of the county signs are standard signs, so it is much cheaper to buy signs from an outside vendor.

Motion carried with all ayes.

Resolution Appropriating County Motor Fuel Tax Funds for the Salary and Estimated Expenses of the County Engineer for FY2010

Blue explained his salary is paid directly from the motor fuel tax funds and 50% is reimbursed by the federal government.

MOTION by Gladney to approve the Resolution Appropriating County Motor Fuel Tax Funds for the Salary and Estimated Expenses of the County Engineer for FY2010; seconded by Rosales. **Motion carried with all ayes.**

Resolution Appropriating \$500,000.00 from County Motor Fuel Tax Funds for the County's Share of County Highway 18 (Monticello Road) Improvement from County Highway 19 Easterly to U.S. Route 45 - Section #07-00419-00-RS

Blue explained the County Highway 18 (Monticello Road) project was bid in November and is a federal aid project. The low bidder was Cross Construction at \$2.3 million and the contract was awarded on December 2, 2009. Two grants will help pay for the project, but the County will have to pay \$500,000 towards it. The work will be done this spring and summer. The completion date is October 29, 2010.

MOTION by Langenheim to approve the Resolution Appropriating \$500,000.00 from County Motor Fuel Tax Funds for the County's Share of County Highway 18 (Monticello Road) Improvement from County Highway 19 Easterly to U.S. Route 45 - Section #07-00419-00-RS; seconded by Carter.

Beckett asked if \$500,000 was the same amount Blue originally told the Highway Committee that the County would have to spend on the project. Blue replied the County's portion was half the amount he originally quoted to the Highway Committee thanks to stimulus funding.

Motion carried with all ayes.

Resolution Appropriating \$3,000,000.00 from County Motor Fuel Tax Funds for the Improvement of County Highway 18 (Monticello Road) from County Highway 19 Westerly to the Piatt County Line – Section #07-00419-01-RS

Blue described the project involves rebuilding and widening Monticello Road from U.S.-45 to the Piatt County line. This is eleven miles and the County does not usually undertake such a big rebuilding project. It is being done because this road has a lot of traffic and there have been fatalities on it. The County received some safety money to use toward the project, but no grants or

stimulus money. The engineer's estimate for the project is a little over \$3 million. County Motor Fuel Tax Funds will be used for the entire project.

MOTION by Beckett to approve the Resolution Appropriating \$3,000,000.00 from County Motor Fuel Tax Funds for the Improvement of County Highway 18 (Monticello Road) from County Highway 19 Westerly to the Piatt County Line – Section #07-00419-01-RS; seconded by Rosales.

In response to O'Connor concerns, Blue will come back in a month with the pavement management program. This project has been in Highway's five-year plan and was an anticipated expenditure. He had hoped to obtain stimulus money for the project, but was unsuccessful.

Motion carried with all ayes.

Resolution for Contract Award Authority for the Improvement of County Highway 18 (Monticello Road) – Section #07-00419-01-RS

Blue explained this resolution related to the previous resolution. All construction easements have been secured and he wanted to do the work this summer to avoid having to renegotiate all the easements. The bidding will take place on March 17th. He will accept the low bid as long as it is within 10% of the engineer's estimate. He acknowledged this approach has been taken before because of timing issues. If something goes array he hoped to deal with it at the March 18th County Board meeting.

MOTION by Jay to approve the Resolution for Contract Award Authority for the Improvement of County Highway 18 (Monticello Road) – Section #07-00419-01-RS; seconded by Beckett. **Motion carried with all ayes.**

Other Business

Semi-Annual Review of Closed Session Minutes

Item was removed from the agenda.

Chair's Report

There was no Chair's report.

Designation of Items to be Placed on County Board Consent Agenda

Agenda items 8.B.1-5 were designated for the consent agenda.

COUNTY FACILITIES

Downtown Correctional Center – Chiller Replacement

Updated Project Schedule

MOTION by Rosales to receive and place on file the updated project schedule; seconded by Cowart. **Motion carried with all ayes.**

Approval of Installation Contract & Approval for a Notice to Proceed for the Successful Bidder

Reinhart did not have the installation contract for the Board's approval. The bid opening was yesterday afternoon and, while the bids were in line with the original estimate, there was some disparity about recovery of existing refrigerant and/or contaminated water in the chiller. He contacted a hazardous waste material disposal company this morning to take samples to determine the chorine levels in the existing chiller. He wanted to know exactly what needs to be done to inform the bidders. Reinhart hoped to have a recommendation ready for the full Board meeting.

Courthouse Exterior/Clock & Bell Tower Renovation Project
Project Update

MOTION by Bensyl to receive and place on file the project update; seconded by Rosales. **Motion carried with all ayes.**

Facility Director/County Administrator
Physical Plant Monthly Report – January 2010

MOTION by James to receive and place on file the Physical Plant January 2010 monthly report; seconded by Kurtz. **Motion carried with all ayes.**

Courthouse Parking Lot Pay Station Update

Reinhart stated the new pay station has been purchased and will be installed at the Courthouse parking lot within a week.

State of Illinois DCEO Energy Grant Update

Reinhart explained the County received an \$8,673 DCEO energy grant for de-lamping and installing motion sensors in the Courthouse. He is gathering proposals for the motion sensors equipment. The project has to be completed by midsummer to receive the grant. Smucker asked for the project's estimated cost. Reinhart replied the original estimate for the motion sensor equipment itself was about \$12,000. He hopes to do better in the bidding process.

Chamber of Commerce Energy Purchasing Cooperative Information

Reinhart stated the Chamber of Commerce reached a new three-year agreement for the purchase of electricity. The agreement means the County will receive a better price on electricity for the next three years than it did over the course of the last agreement. He is waiting to hear about the gas cooperative agreement.

Other Business

Semi-Annual Review of Closed Session Minutes

Item was removed from the agenda.

Approval of County Facilities Closed Session Minutes

MOTION by James to approve the County Facilities Committee closed session minutes of August 11, 2009 7:17 p.m. and August 11, 2009 7:30 p.m.; seconded by Gladney. **Motion carried with all ayes.**

Chair's Report

Beckett noted the County received the arbitration award for the Nursing Home construction problems against Otto Baum. He is working with Busey on preparing a total cost breakdown of the Nursing Home construction project. He hoped to have it ready for the County Board meeting.

Designation of Items to be Placed on County Board Consent Agenda

No items were designated for the consent agenda.

ENVIRONMENT & LAND USE

Update on Transportation Coordination Process to Provide Countywide Public Transportation

Black, RPC Transportation Manager, spoke about the money made available by IDOT to provide transportation to rural residents. The County Board decided in October 2007 to proceed with the grant request. George, RPC Transportation Planner, reviewed the phases of the ICCT Clearinghouse Transportation Coordination Primer and the steps that have been taken through the process. She described the transportation survey results. The survey documented that rural residents desire transportation for medical appointments, shopping, and work. CRIS Rural Transit is recommended as lead agency by the rural transportation group. RPC staff will attend township and village board meetings to share this information. She offered to answer any questions.

Beckett asked about the survey instrument developed by the transportation group and if the survey was randomly distributed. George explained it is the same survey used by all counties in the primer process. The surveys were distributed by social service agencies, to the County Board, to County employees, village representatives, at the Homer Crazy Days Festival, and at the Sweet Corn Festival. Beckett questioned if the survey results had a margin of error or reliability factors, as every survey is supposed to have for accuracy. Black stated the survey did not have a margin of error or reliability factors. RPC spent a year collecting survey data. They discarded surveys that did not have appropriate answers.

James asked how many people were surveyed and if a rural transportation program would have a tax liability on rural towns. George said approximately 2% of the rural population was surveyed and there was no rural transportation system in Illinois that taxes anyone.

Anderson recalled how the County Board was invited to the first meetings of this process and how she encouraged people to complete the survey questionnaire. Gladney asked how RPC determined rural residents were being surveyed when the survey was distributed at the Sweet Corn Festival. George stated the survey required the respondents enter their zip codes. In response to Richards's question about funding, George said the federal transportation funding passes through IDOT. There is state transportation funding that could potentially be used for operating a rural transportation system. It requires a 50/50 local match for operations and an 80/20 local match for planning, administration, and capital costs. Jones asked where the local match would be obtained. George said the local match does not have to come from tax funding. The rural ride program for seniors operating in Champaign County could use an Area Agency on Aging grant towards the local match. Nudo asked if there would be an end user fee. George confirmed a fare will be established by the contract development group. People answering the survey said they were willing to pay \$2-\$3 for a one-way trip within the county. Anderson noted transportation is an issue for every social service agency in the county. This system could also be used seniors who can no longer drive and can afford to pay for transportation. O'Connor believed a user fee is preferable and could help enable elderly residents stay in their rural homes. Schroeder thanked RPC for the presentation and requested a hard copy of the Power Point slides. Black agreed to send a copy of presentation and could make available the survey results.

Request to Designate CRIS Rural Transit as the Main Transportation Provider

This item was removed from the agenda.

Land Resource Management Plan

Review of Public Comments on Land Management Plan

Chavarria referred to the LRMP binder and memo summarizing public comments distributed to the County Board on February 18th. A total of 21 residents and agencies provided comments requesting changes or giving opinions of the LRMP document. Seven specific changes were incorporated based on public comments. The RPC staff did not recommend making 30 changes requested by public comments, based on the information staff has collected and the Steering Committee meetings over the last 30 months. There were some comments, such as "The document is hard to read," that the staff really cannot change. All public comments were considered, but staff could not act on all.

The seven public comment changes the RPC staff will incorporate into the document included resolving the page numbering, changing the designation of the railroad tracks between Allerton and Villa Grove to note those tracks have been abandoned, including a short line rail owned by Grand Prairie Friends under other park areas open to the public, correcting text on the Illinois natural area inventory, correcting the land use management area map by adding what the City of Champaign believes will be an urban designated area within the next five years rather than unincorporated area, removing the word "not" from the definition of suited overall from the future land use section, and correcting Policy 5.1.9 text to be consistent with other text on the implementation strategy.

Jay was pleased to see this land use plan, but he thought it was tough to read. He was disappointed it was not written in a manner that was easily understandable to some of the public.

Kurtz exited the meeting at 7:11 p.m.

Nudo was assured at a previous meeting that there would be County Board involvement in the action items rather than just an RPC Planner. He did not see it in the revised version and asked if he missed it. He asked how much the County's planning contract was paying RPC. Chavarria stated the County planning contract was around \$76,000 and it is anticipated over half of that amount will be used towards implementation of the LRMP this year. She explained the Planner cannot act without a work plan approved by ELUC and the County Board. The inclusion of the County Board in the implementation plan is inherent. Nudo felt it was inherent after the fact, when the Planner has drawn it up and submitted it. Chavarria said the prioritization could not be set up without certain County Board members' involvement, such as Barbara Wysocki, ELUC Chair. Hall explained the RPC seeks direction from the County Board before they do anything in a given year and do the work only with the County Board's approval. Wysocki confirmed this has been the practice, at least during her tenure on ELUC. One of ELUC first items of business in the last calendar year was to approve Susan Monte's (the Planner assigned to the Board) work plan. Chavarria verified the County Board sets the priorities and the timeframe for immediate action items.

Smucker asked about the lagoon comments from the Prairie River Network. Chavarria stated staff reviewed those requests and their research determined the Illinois Department of Agriculture was the body in control of that type of concept. That particular act will fall under zoning discretion. She has a draft policy statement if the County Board would like to include in the LRMP.

Kurtz re-entered at 7:17 p.m.

Jay stated the ambulance services information is inaccurate and really needs to be updated. There is ALS service in the county and this is the same level of service offered within Champaign-Urbana. The LRMP indicates that service does not exist in the county. Chavarria responded that they are using an existing conditions report with 2007 and earlier data. There are things that could absolutely use updating, but it is a question of whether the County Board is willing to undergo the expense of RPC going back through the thirteen chapters to update all the existing conditions items now. Jay said it should be left out rather than have incorrect information presented in the document. Chavarria said it was accurate in 2007 when the data was collected and Jay disagreed. Beckett called for a point of order that two people should not be talking over each other.

Langenheim said the LRMP does not compel the County Board to take any specific action, but it will restrict their options on specific cases. Chavarria said this was a guiding document and there were no restrictions until a zoning ordinance change is approved by the County Board.

Richards asked how many votes are needed to approve the LRMP. Wysocki answered a simple majority would approve the plan.

Cowart and Michaels exited the meeting at 7:21 p.m.

Anderson recalled Board members saying comprehensive planning should be done before the County Board revised its zoning ordinance. She acknowledged the LRMP was working towards comprehensive planning and asked the Board to keep that in mind.

Smucker wanted to return to the Prairie River Network letter and asked if there was a legitimate objection to their requests. Chavarria said the LRMP Steering Committee underwent considerable discussion about drainage district related wording because it was a hot topic. The Steering Committee presented a certain set of policies to ELUC and ELUC developed and approved Policy 8.4.6 in its current form in the LRMP. This does not include anything about downstream drainage patterns. Smucker wanted to understand what the implications were of putting this in the LRMP. Levy said the addition of language requested by Prairie River Network was viewed as something beyond what ELUC told staff it wanted, hence why staff is not recommending adoption of that language. Smucker asked Wysocki to explain why ELUC found the Prairie River Network language objectionable. Wysocki could not comment on the collective thinking of the drainage commissioners and suggested the language be run by those commissioners before making a change.

Michaels re-entered the meeting at 7:24 p.m.

Smucker asked about the language about preserving wetlands in name of ground water recharge already captured in document. In Chavarria's opinion, the document captures generalities about aquifer recharge and distinguishing methods that can be used, such as the Prairie River Network did, would come about through change in the zoning ordinance once thorough research had been done about what method is the most beneficial for Champaign County. It is a change appropriate to a zoning ordinance revision, not the LRMP.

Knott observed a zoning ordinance revision would be significantly more difficult to interpret than the LRMP. He did not feel he could vote on the LRMP because there was so much involved in the document and it is so far-reaching. Smucker said he has been given versions of the LRMP document for months and there have been many public meetings about it. He asked if some Board members' hesitancy tonight was based on something that was not being said aloud and encouraged members to articulate their concerns. O'Connor said there were too many deal breakers in it for his approval and there was a lot that scares him. McGinty acknowledged the challenge with the document was that it is hard to be simple because of the different types of land in Champaign County. There are distinct differences of opinion between farmers and developers. The LRMP is similar to any large document, like the County budget, where Board members may not agree with every single item, but support the document as a whole to move forward for the County's good. The LRMP is the next logical step before reviewing and modifying the zoning ordinance in a useful, constructive way. He encouraged the Board to consider the whole plan as a guiding document in moving towards a comprehensive plan. Langenheim concurred with McGinty. He went to some LRMP Steering Committee meetings and noted sometimes the committee was not sure about the difference between setting up a plan or an aim versus setting up an ordinance or rule. He suggested an executive summary might help the struggle facing some Board members right now because the entire document cannot be comprehended in a short period of time.

Kurtz also sat in on LRMP Steering Committee meetings and spoke about how diligently that committee worked on this project. This document is the culmination of two years' work. RPC has given the County Board updates on each goal and objective that was reached as it has been developed. As the plan grew, it built good guidelines to secure future federal and state grants for County programs. He felt the LRMP needs to happen and suggested Board members review it in smaller pieces. He did not think the document was confusing because he had watched it grow throughout the Steering Committee process, which was open to the public. He did not know of any other document that has offered so much opportunity to include public input over a long period of time. He encouraged Board members to suggest changes if they objected to a part of the document and not just dump the whole plan over disagreement with a few items.

Wysocki added that every goal, policy, and objective had to receive a 75% vote of support to be included in the plan. This majority is not easy to obtain and language was adjusted by the Steering Committee to reach the 75% majority. She felt the volume spoke wonders of the Steering Committee's work.

Gladney spoke about the openness of the LRMP development process and how it was there for the County Board to take advantage of if they chose. There were many open meetings, special County Board sessions, and public input was sought during the process. He supported the LRMP as a guiding document.

Langenheim emphasized this was a set of aims, not rules. The Steering Committee was purposefully slanted towards the rural population. He believes this document will not tie his hands on any particular issue. He did not want to preclude the County Board's ability to consider every issue on its merits at the time it is presented.

Knott felt the plan does matter even if it did not have the effect of an ordinance. He did not want to minimize the amount of work and effort that went into producing the very thorough document. He does not agree everything in the plan; however, he saw good things. He encouraged Board members to state their objections or recommend amendments to the plan.

Recommendation of Land Resource Management Plan to the County Board

MOTION by Beckett to recommend approval of the Land Resource Management Plan to the County Board; seconded by Langenheim.

Beckett remarked that twenty-seven different County Board members will have different philosophies about land use. He thought it was appropriate that the LRMP Steering Committee was weighted towards rural because probably 80% of Champaign County's land is rural. The County Board has made zero progress on land use policies in ten years. The naysayers are not moving to amend just that they don't like it. Those people don't like any land use policy.

Kurtz reminded the County Board that the LRMP's premise was the preservation of Champaign County's agriculture. This document will help protect farmers from urban sprawl that is now happening. He described a Champaign City Council meeting where the council discussed its plans to enlarge the city's boundaries by overtaking prime farmland. He suggested Board members

who represent rural areas consider how to improve the LRMP instead of how to kill it. Wysocki shared how a local village official thanked her for the LRMP as it stood because it enabled their village government to refuse a residential development. These villages could not make such refusals before because the County was not saying anything.

Nudo emphasized the point of the responsible party. He sees a lot of wasted effort by the planners if the LRMP is just guidelines. A great many items have been presented to the County Board before the Board has set priorities. He found the document reasonable, but he wanted some assurances that the County Board and ELUC will dictate priorities before planners start writing up plans. Chavarria stated the LRMP is a draft document and staff was willing to make amendments as directed by the County Board to ensure its passage. Staff can add a paragraph that stipulates the County Board will be the first to decide priorities before it comes to the planners. Nudo expressed concern with the \$76,000 in the planning contract being wasted because planners are working on things that the County Board would object to or has not considered to be a priority. He thought there should be straw pools or votes as the Board goes along prior to RPC staff writing ordinances or changes. Chavarria confirmed that was doable.

Carter would like to vote on the plan at a County Board meeting so all members could discuss it. He thought there should be a special meeting to let the other side bring out their issues. Wysocki confirmed the official vote on the LRMP would be taken at a regular County Board meeting, not a committee meeting, as is done with most issues. Carter asked what would happen when the County Board members voted on the issue at tonight's committee of the whole meeting. Wysocki stated the issue is then forwarded to the full County Board meeting.

Beckett suggested that Board members who have specific objections should make concrete amendments, such as Nudo did. Very general objections do not enable reframing of the documents.

Smucker and other Board members called the question. Wysocki acknowledged there had been requests to call the question. Beckett requested a roll call vote. Those Board members in favor of calling the question raised their hands showing a majority was in favor. Schroeder called a point of order and insisted some Board members have not had the chance to express their views on the LRMP, which was the purpose of the committee of the whole meetings. He accused Wysocki of shutting off debate. Wysocki responded that she was not shutting off debate; she was simply saying the question has been called and following proper procedure when the question had been called. Beckett was concerned it was too early for a Board member to call the question when there are other members the Chair has not had the opportunity to recognize.

Wysocki recognized Anderson. Anderson responded to Nudo that the process has always been to bring priorities to ELUC for direction. James suggested a disclaimer be added at the front of the LRMP stating it was just a tool. He worried future County Boards will follow the LRMP literally because of the way it is structured and worded.

Schroeder described his time on the Zoning Board of Appeals and ELUC. He has been advocate for a comprehensive land use plan, which will take a lot of cooperation, vision, support, and commonality. He was happy to have a resource that gave a lot of geographic information about Champaign County and the LRMP has certainly succeeded in this respect. He complimented RPC

staff and the LRMP Steering Committee for compiling this information. He attended quite a few Steering Committee meetings and has issue with large portions of the LRMP being written like an ordinance. The Steering Committee did not want to be fuzzy on their intentions, but he was looking for a broader view of issues, not an ordinance. There were issues brought up at ELUC that were not adopted or changed by a majority vote. Schroeder did not see the point in bringing issues up again only to be slapped down again because he is in the minority. He will not support the LRMP document because he expected it was going to be a broader scope of goals and priorities. He acknowledged the entire plan was not written as in ordinance language. He was sorry the plan became urban versus rural thing. The ordinance implications of LRMP are mind-boggling and a concern for him as a rural resident. He thanked Wysocki for letting him say his piece.

Wysocki asked if any Board member had not spoken yet. Jones said he saw no reason to suggest individual provisions to the plan when they knew certain people cannot support the plan with such provisions. The one new lot allowed per forty acres provision does not need to be in the plan. He represents rural people and there is opposition to this plan. A comprehensive plan is needed, but Jones would not vote for the current LRMP.

Wysocki asked if any member had not had the chance to speak who wanted to and hearing no response, offered any member who had spoken a last chance to speak again. Nudo asked if a disclaimer would be included or whether he needed to request a friendly amendment. Hall believed the LRMP already carried a disclaimer that the plan should not be misinterpreted as regulation on the first page, second paragraph in the goals, objectives, and policies section. He asked if that disclaimer was adequate. Nudo said no and requested that the planners come to the Board to ensure any ordinance or code changes are priorities of the County Board before any changes are made. Susan Monte, the County's Planner in RPC, suggested that was already in the document on page 1 of the implementation strategy in the last paragraph. Nudo said that section was not what he wanted. Chavarria understood Nudo was asking for a step prior to amendments being brought to ELUC and Nudo confirmed that was his intent. **Beckett and Langenheim accepted that as a friendly amendment and asked that language that the County Board has to approve planning activities be added in the LRMP document.**

Carter suggested locking everyone in a room to get the debate over with and compared it to getting healthcare in Champaign County. Beckett reiterated that many meetings and public hearings have been held on LRMP to allow people to have their say if they participate. It is important to discuss issues during the drafting of a plan, not just waiting to debate when the issue reaching a vote.

Langenheim called the question and Wysocki confirmed Schroeder was okay with the question being called. Beckett requested a roll call vote. It was confirmed the motion was to approve the LRMP document with the friendly amendment.

Motion failed. Anderson, Beckett, Gladney, Kurtz, Langenheim, McGinty, Nudo, Rosales, Smucker, and Wysocki voted in favor of the motion. Bensyl, Carter, Doenitz, James, Jay, Jones, Knott, Michaels, O'Connor, Richards, and Schroeder voted against the motion. Smucker stated he was changing his vote to no. The final vote was 9 in favor and 12 against the motion.

MOTION by Smucker to reconsider; seconded by Beckett.

MOTION by Beckett to defer the motion to reconsider; seconded by Langenheim. **Motion to defer carried.**

Langenheim, James, and Michaels exited the meeting at 8:19 p.m.

Zoning Ordinance Amendments

Request to Amend Champaign County Zoning Ordinance Zoning Case 658-AT-09

MOTION by Beckett to approve the amendment to the Champaign County Zoning Ordinance, Zoning Case 658-AT-09; seconded by Rosales.

Hall offered to withdraw Part B of the amendment and wanted direction from the County Board as to whether they would like him to withdraw Part B pursuant to Schildt's comments. Smucker asked about Part B's purpose. Hall explained Part B was intended to clarify that all wind farm conditions are standard conditions and can be waived. He consulted with the State's Attorney, who confirmed the amendment would not erase arguable points. The Board discussed Part B. Beckett supported Hall withdrawing Part B and Hall concurred. Nudo asked if the change was the result of a pending lawsuit. Hall said they are in court trying to get a declaratory judgment about the interpretation of an agricultural RLA, but there is no lawsuit. Nudo agreed the Board wait until acting on Part B. Schildt spoke from the audience and Kurtz called for a point of order. Hall said the court decision will not affect the conditions.

Langenheim re-entered the meeting at 8:21 p.m.

MOTION by Smucker to withdraw Part B from the original motion; seconded by Beckett. **Motion carried with all ayes.**

Smucker asked Hall to summarize Part A. Hall clarified the references in the ordinance regarding the letter of credit for wind farms. This will make it very clear there is one standard for letters of credit in general and a separate, higher standard for wind farm letters of credit. The amendment changes the existing requirement for a separation from a wind farm in a restricted landing area or a residential airport. The Board discussed the amendment.

Motion carried to approve amendment without Part B.

Request to Amend Champaign County Zoning Ordinance Zoning Case 634-AT-09 Part B

Hall stated this amendment could be deferred.

MOTION by Beckett to defer seconded by Bensyl. **Motion carried with all ayes.**

Direction to Zoning Administrator Regarding Necessary Zoning Ordinance Text Amendments

Request to Conduct a Champaign County Zoning Ordinance Text Amendment Clarifying Standard Conditions and Clarifying Wind Farm Shadow Flicker Requirements

MOTION by Kurtz to approve the request to conduct a Champaign County Zoning Ordinance text amendment clarifying standard conditions and clarifying wind farm shadow flicker requirements; seconded by Beckett.

Smucker asked for an explanation. Hall stated this text amendment tries to clarify what are standard conditions, as does Part B from Case 650. It also clarifies the wind farm shadow flicker conditions. He views this as a housekeeping item.

Motion carried with one vote against by Langenheim.

Request to Conduct a Champaign County Zoning Ordinance Text Amendment to Make the Ordinance Consistent with State Law Regarding the Number of Affirmative ZBA Votes

MOTION by Beckett to approve the request to conduct a Champaign County Zoning Ordinance text amendment to make the ordinance consistent with state law regarding the number of affirmative ZBA votes; seconded by Langenheim.

Beckett asked for confirmation that this means four out of seven ZBA votes are required, not five out of seven votes, in order to be consistent with state law. Wysocki and Hall concurred.

Motion carried with all ayes.

Proposed Champaign County Zoning Ordinance Text Amendment Changing Maximum Fence Height Limits

MOTION by Beckett to approve the proposed Champaign County Zoning Ordinance Text Amendment Changing Maximum Fence Height Limits; seconded by Gladney.

O'Connor asked what raised this issue. Hall said there have been a few variance requests in the past couple years for residents who want a fence height above six feet. He learned the County's fence height regulations are more restrictive than the municipalities and this seemed odd. An eight-foot height limit is more consistent with municipal ordinances and would provide more flexibility for the rural landowners. O'Connor felt he should be able to build a fence at any height on his property. Hall said the County Board could set the height limit at a higher number. O'Connor suggested Hall not worry about fence heights. Langenheim asked Hall to explain, as a professional planner, why there should be a limitation on fence height. Hall expected an amendment to eliminate the fence height limit would be protested by municipalities concerned with inconsistent fence heights when properties are annexed. He could not predict what the rural residents would say.

Motion carried. A show of hands confirmed the motion passed.

Nuisance Enforcement Productivity

MOTION by Beckett to receive and place on file the nuisance enforcement productivity report; seconded by Gladney. **Motion carried with all ayes.**

Monthly Report

MOTION by Beckett to receive and place on file the February 2010 monthly report; seconded by McGinty. **Motion carried with all ayes.**

Other Business

Semi-Annual Review of Closed Session Minutes

Item was removed from the agenda.

Schroeder requested Libby Tyler be included on the April agenda during the Olympian Drive discussion. Wysocki agreed to honor his request.

Chair's Report

There was no Chair's report.

Designation of Items to be Placed on County Board Consent Agenda

No agenda items were designated for the consent agenda.

ADJOURNMENT

MOTION by Beckett to adjourn; seconded by Smucker. **Motion carried with all ayes.**
The meeting was adjourned at 8:39 p.m.

Respectfully submitted,

Kat Bork
Administrative Secretary

Secy's note: The minutes reflect the order of the agenda and may not necessarily reflect the order of business conducted at the meeting.