

**CHAMPAIGN COUNTY BOARD
COMMITTEE OF THE WHOLE – Highway/Facilities/ELUC Agenda**
County of Champaign, Urbana, Illinois
Tuesday, October 5, 2010 – 6:00 p.m.

*Lyle Shields Meeting Room, Brookens Administrative Center
1776 East Washington Street, Urbana, Illinois*

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VI. <u>Communications</u>	
VII. <u>Environment & Land Use</u>	
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I. Chair's Report

J. Designation of Items to be Placed on County Board Consent Agenda

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B. Facilities Director

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2. Update – RFP 2010-005 for Design Build of Coroner/Physical Plant Maintenance/County Storage Facility

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C. Chair's Report

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D. County Administrator

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2. Closed Session Pursuant to 5 ILCS 120/2(c)6 to Discuss the Setting of Price for Sale or Lease of Property Owned by Champaign County

E. Other Business

F. Designation of Items to be Placed on County Board Consent Agenda

IX. Other Business

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X. Recess

1 **CHAMPAIGN COUNTY BOARD**
2 **COMMITTEE OF THE WHOLE MINUTES**
3

4
5 **Highway & Transportation/County Facilities/Environment & Land Use**
6 **Tuesday, September 7, 2010**
7 **Lyle Shields Meeting Room, Brookens Administrative Center**
8 **1776 E. Washington St., Urbana, Illinois**
9

10 **MEMBERS PRESENT:** Carol Ammons, Jan Anderson, Steve Beckett, Lloyd Carter, Lorraine
11 Cowart, Matthew Gladney, Stan James, John Jay, Greg Knott, Alan
12 Kurtz, Ralph Langenheim, Brendan McGinty, Diane Michaels, Steve
13 Moser, Alan Nudo, Steve O'Connor, Michael Richards, Giraldo
14 Rosales, Larry Sapp, Jonathan Schroeder, C. Pius Weibel, Barbara
15 Wysocki
16

17 **MEMBERS ABSENT:** Ron Bensyl, Thomas Betz, Chris Doenitz, Brad Jones, Samuel
18 Smucker
19

20 **OTHERS PRESENT:** Jeff Blue (County Engineer), Kat Bork (Administrative Assistant),
21 Deb Busey (County Administrator), Susan Chavarria (RPC
22 Community Development Manager), John Hall (Planning & Zoning
23 Director), Susan Monte (RPC County Planner), Rita Morocoima-
24 Black (RPC Transportation Planning Manager), Duane Northrup
25 (Coroner), Alan Reinhart (Facilities Director), Libby Tyler (City of
26 Urbana Community Development Director)
27

28 **CALL TO ORDER**
29

30 Wysocki called the meeting to order at 7:02 p.m.
31

32 **ROLL CALL**
33

34 Bork called the roll. Ammons, Anderson, Beckett, Carter, Cowart, Gladney, James, Jay,
35 Knott, Kurtz, Langenheim, McGinty, Michaels, Moser, Nudo, O'Connor, Richards, Rosales, Sapp,
36 Schroeder, Weibel, and Wysocki were present at the time of roll call, establishing the presence of a
37 quorum. Weibel announced that he had been informed that Jones and Betz would be unable to
38 attend the meetings and their absences were excused.
39

40 **APPROVAL OF COUNTY BOARD RESOLUTION TO MEET AS COMMITTEE OF THE**
41 **WHOLE**
42

43 **MOTION** by Kurtz to approve the County Board Resolution to meet as a Committee of the
44 Whole; seconded by Ammons. **Motion carried with unanimous support.**
45
46

47 **APPROVAL OF MINUTES**

48
49 **MOTION** by Rosales to approve the Committee of the Whole minutes of August 3, 2010;
50 seconded by Carter. **Motion carried as amended with unanimous support.**

51
52 **APPROVAL OF AGENDA/ADDENDA**

53
54 **MOTION** by James to approve the agenda and addendum; seconded by Rosales. **Motion**
55 **carried as amended with unanimous support.**

56
57 **PUBLIC PARTICIPATION**

58
59 John Dimit, CEO of the Economic Development Corporation, spoke in support of the long-
60 range transportation plan as it was adopted by CUUATS. A series of industrial roundtables was
61 held with many businesses on north Market Street and north Lincoln Avenue almost a year ago.
62 These roundtables indicated the importance of connecting Lincoln Avenue to Olympian Drive for
63 the businesses on both sides of the railroad. Dimit stated the EDC supported the AXB Phase I
64 option of the Olympian Drive project.

65
66 George Boyd remarked about how an environmental blue ribbon panel held six years ago
67 pointed out that farmland should stop being used for highways, more buildings, or creating urban
68 sprawl in order to sustain the environment. Instead, more park space and protection for native
69 biological areas should be provided. Boyd argued that some people did not recognize that
70 agriculture is a business in Champaign County and cutting up tiled farmland with highways
71 removes the land from production. He talked about Windsor Road and Ford Harris Road in
72 response to planners who project rapid economic growth. There is no local, state, or federal money
73 for the Olympian Drive project. He pointed out the Curtis Road interchange project has exceeded
74 its projected budget and the Philo Road business district has vacant buildings where businesses
75 could locate. He asked the County Board to put a question about the Olympian Drive project on the
76 April ballot in order to represent the voters who elected them.

77
78 Laura Huth, representing her clients regarding the Olympian Drive project, requested an
79 independent needs assessment for the project performed by an outside firm to provide meaningful
80 and correlative data across a spectrum of topics ranging from safety, traffic counts, properties and
81 people impacted, full financial outputs and inputs, jobs impact, and environmental impact. Her
82 clients discussed having such a study done with the Urbana Public Works Director in March. Huth
83 said only a mishmash of data and opinions from a variety of sources is available now. Without
84 correlation, nothing can be known about the real need or justification for the Olympian Drive
85 project. Huth said her clients' discussion with the City of Urbana was short-lived. She accused the
86 City of Urbana of not looking at the real merits or drawbacks of the project. A number of reasons
87 have been given defending the project, including because it is already in the long-term plan. Huth
88 said the community deserves a better explanation for \$30 million road project. She has read in the
89 newspaper that Urbana continues to dig in its heels to construct the full project. Another public
90 engagement meeting was held after the County Board last met, which Huth depicted as a farce. She

91 questioned why the City of Urbana hesitated to perform an independent needs assessment unless
92 they were not confident the results would support their project.

93
94 Patti Petrie urged all elected officials to read the book *The Great American Jobs Scam* by
95 Greg LeRoy when they are making decisions about economic development, such as Olympian
96 Drive, to learn about the cost to communities related to economic development.

97
98 Craig Rost, Deputy City Manager for Development for the City of Champaign, spoke about
99 the importance of future economic development growth and the need for the Olympian Drive
100 construction project. He stated building the AX portion of the road will relieve truck traffic going
101 to Interstate 74. The City of Champaign has a history of long-range planning for economic
102 development by installing infrastructure, making note of Curtis Road, Windsor Road, and the
103 Apollo Subdivision. Rost encouraged staying with the long-range transportation plan and
104 immediate construction of the AX portion. The City of Champaign and the City of Urbana have a
105 development agreement for the 500 acres on both sides of the railroad tracks, half of which has been
106 built in the Olympian Drive Subdivision. Rost remarked the remaining portion on the Urbana side
107 needs to be jump-started. He called the construction of Olympian Drive the most important issue
108 for the long-term welfare of the community and its future growth. He said having the resources
109 (such as roads and utilities) available when companies are ready to move in is one of most
110 important things in economic development. This is how Champaign has developed its industry.

111
112 Mark Dixon, Development Director for the Atkins Group in the Apollo Subdivision,
113 expressed gratitude on behalf of his company for the County Board's past support of Olympian
114 Drive. The Apollo Subdivision, with over 1,200 employees at 23 businesses, is a result of previous
115 investment in Olympian Drive. He attested that economic growth takes time and the Atkins Groups
116 points to interchanges and transportation systems with aerials roads when recruiting companies.
117 The group hopes Olympian Drive will be extended as planned.

118
119 Carl Webber was present in support of the Zoning Ordinance amendment allowing a
120 residential recovery center and was available to answer any questions.

121
122 After confirming no one else wanted to speak, Wysocki declared public participation closed.

123
124 **COMMUNICATIONS**

125
126 Weibel pointed out the memo about FutureGen 2.0 in the handouts at the Board's desks. At
127 the last County Board meeting, Kurtz suggested Champaign County inquire about being a candidate
128 site for FutureGen 2.0. The Department of Energy has announced new guidelines to be used in the
129 site selection and Weibel fully expects the guidelines to change. There is no process currently in
130 place for counties to apply as a site.

131
132 McGinty stated the Legislative Budget Hearings started late this evening because a quorum
133 of the County Board was not present at the scheduled starting time. He encouraged members to
134 attend next Tuesday's hearings on time and for the Board Chair to send a communication prior to
135 the hearings reiterating this point.

136 Kurtz spoke about the help desk at the Champaign County Courthouse and the recent article
137 in the *News-Gazette*. The help desk is a free service at the Courthouse for people to obtain
138 information regarding how to proceed through the courts system. Kurtz used the help desk service
139 when he was in small claims court two years ago and supported charging those who used the
140 services \$6 per person to ensure the service would continue.

141

142 **COUNTY FACILITIES**

143 **Courthouse Exterior/Clock & Bell Tower Renovation Project**

144 Project Update

145

146 **MOTION** by Jay to receive and place on file the project update; seconded by Kurtz.

147

148 Weibel asked when the final cost figures would be received. Reinhart confirmed these
149 should be the final numbers. He is waiting on the close out documents. Sapp asked if all the work
150 was complete and Reinhart confirmed that was correct. Sapp asked how much of the contingency
151 funds were used on the project. Busey stated the contingency funds were entirely used. Beckett
152 asked about the unspent funds. Busey answered the unspent funds remain in Courthouse
153 Construction Fund, which will end the project will a balance of \$1 million remaining. The County
154 Board will need to make a decision about moving the funds or keeping them for future courts
155 facilities needs at some point.

156

157 **Motion carried with unanimous support.**

158

159 Beckett announced the closed session will be held at end of the meeting and there was no
160 objection from the County Board.

161

162 **Facilities Director**

163 Physical Plant Monthly Reports

164

165 Reinhart said the Courthouse electricity bill has decreased from June to July by
166 approximately \$6,000 with the new energy system.

167

168 **MOTION** by James to receive and place on file the Physical Plant July 2010 monthly
169 reports; seconded by Rosales. **Motion carried with unanimous support.**

170

171 Approval of Release of RFP 2010-005 for Design Build of Coroner/Physical Plant

172 Maintenance/County Storage Facility

173

174 **MOTION** by Langenheim to approve the release of RFP 2010-005 for Design Build of
175 Coroner/Physical Plant Maintenance/County Storage Facility; seconded by Cowart.

176

177 Beckett explained this is a design-build project and this type of project is new to the County.
178 He understood input was received from the County Clerk and Coroner. The basic building design is
179 set and the County would host a pre-proposal response meeting on September 22, 2010 where
180 interested contractors could have their question answered. The proposals are due October 12, 2010.

181 A later agenda item appoints a committee to review the proposals and make recommendations to the
182 County Board. This is not a bid process. The County is looking for the lowest responsible
183 respondent who can meet the County's needs. The proposal is to have a quality build construction
184 in a much shorter period of time. This building would replace the space the County currently leases
185 at the Gill Building and add more space for the Physical Plant.

186
187 **Motion carried with unanimous support.**

188
189 Approval of Lease with Niemann Foods for Downtown Employee Parking

190
191 **MOTION** by Ammons to approve the lease with Niemann Foods for Downtown Employee
192 Parking; seconded by Kurtz.

193
194 Reinhart announced the lease is for a reduced number of parking spaces because spaces
195 were going unused. He negotiated a lease for 50 spaces at \$23 per space. The current agreement
196 charges the County for snow removal and Reinhart had that cost removed for this contract. The net
197 savings to the County will be close to \$5,000. Nudo noted Paragraph 12 did not include a cure rate
198 for default and recommended this be included in future leases.

199
200 **Motion carried with unanimous support.**

201
202 **Chair's Report**

203 Approval of RFP 2010-005 Selection Committee

204
205 Beckett proposed a membership of Deb Busey, Riley Glerum, Duane Northrup, Alan Nudo,
206 Alan Reinhart, Mark Shelden, C. Pius Weibel, and himself for the RFP 2010-005 Selection
207 Committee.

208
209 **MOTION** by James to approve a RFP 2010-005 Selection Committee consisting of Deb
210 Busey, Riley Glerum, Duane Northrup, Alan Nudo, Alan Reinhart, Mark Shelden, C. Pius Weibel,
211 and Steve Beckett; seconded by Anderson. **Motion carried with unanimous support.**

212
213 Courthouse News Stands

214
215 Beckett announced the Courthouse news stands were ready, but contained no newspapers.

216
217 Approval of Hosting a Traveling Lincoln Exhibit & Outgoing Loan Agreement with the Abraham
218 Lincoln Presidential Library & Museum

219
220 **MOTION** by Michaels to approve hosting a traveling Lincoln exhibit and the Outgoing
221 Loan Agreement with the Abraham Lincoln Presidential Library & Museum; seconded by Wysocki.

222
223 Becket provided some pictures from McLean County of the traveling photographic exhibit
224 owned by the Abraham Lincoln Presidential Library & Museum. Beckett and Wysocki proposed to
225 host the exhibit in time for 150th anniversary of Lincoln's First Inaugural. In consulting with Busey

226 and Reinhart, it was determined the exhibit could be housed in the Courthouse space between the
227 new building and the old building, adjacent to the museum. The only cost involved would be for
228 insurance. Busey confirmed the insurance should cost less than \$1,000. Beckett thought this would
229 be a great attraction for school children. The exhibit has 75 photos and Wysocki added 4 of the
230 photos are from the Champaign-Urbana area.

231
232 Langenheim inquired about the number of visitors to the Lincoln exhibit housed at the
233 Courthouse. Wysocki explained there a people counter in the exhibit. There is traffic going to the
234 exhibit. They have arranged for Yankee Ridge School children to visit next week. Sapp asked if
235 extra security would be supplied for the traveling exhibit. Beckett said the Court Security Officers
236 would not change. The Sheriff was aware the exhibit was likely to come and it was acceptable to
237 him.

238

239 **Motion carried with unanimous support.**

240

241 **County Administrator**

242 Closed Session Pursuant to 5 ILCS 120/2(c)6 to Discuss the Setting of Price for Sale or Lease of
243 Property Owned by Champaign County

244

245 The closed session was deferred to the September 14th meeting.

246

247 **Other Business**

248

249 There was no other business.

250

251 **Designation of Items to be Placed on County Board Consent Agenda**

252

253 Agenda items 8.B.3 & 8.C.3 were designated for the consent agenda.

254

255 **HIGHWAY & TRANSPORTATION**

256 **Monthly Reports**

257

258 **MOTION** by Rosales to receive and place on file the County & Township Motor Fuel Tax
259 Claims for June 2010, July 2010, and August 2010; seconded by James. **Motion carried with**
260 **unanimous support.**

261

262 **County Engineer**

263 Resolution Appropriating \$25,032.00 from County Motor Fuel Tax Funds for Champaign County's
264 Share of the Champaign-Urbana Urban Area Transportation System – Section #10-00000-00-ES

265

266 Blue stated the resolution was to pay the County's share to CUUATS. He felt it was money
267 well spent for metropolitan planning.

268

269 **MOTION** by McGinty to approve the Resolution Appropriating \$25,032.00 from County
270 Motor Fuel Tax Funds for Champaign County’s Share of the Champaign-Urbana Urban Area
271 Transportation System – Section #10-00000-00-ES; seconded by Langenheim.

272
273 Michaels asked if this was an ongoing annual fee and Blue confirmed it was. O’Connor
274 asked if there was a breakdown of costs since CUUATS includes the federal and state government.
275 Busey said the numbers are in the RPC budget document, which the County Board received tonight.
276 O’Connor asked how much money the State of Illinois was spending on CUUATS when it was
277 broke. He viewed CUUATS as spending money talking about roads instead of building the roads.
278 Langenheim has attended CUUATS meetings and pointed out this is a requirement by federal and
279 state law. CUUATS also keeps tabs on all aspects of transportation (airports, buses, etc.) and
280 provides a long-range transportation plan every five years. He said it is an essential item in the
281 area’s transportation scheme.

282

283 **Motion carried.**

284

285 Ordinance for the Establishment of an Altered Speed Zone in Philo Township

286

287 Blue distributed the proposed ordinance. He explained the speed zone coming into Philo on
288 County Highway 18 was removed when the road was rebuilt. He was requesting approval of a 30
289 mph speed zone, dropped from 55 mph.

290

291 **MOTION** by Jay to approve the Ordinance for the Establishment of an Altered Speed Zone
292 in Philo Township; seconded by James. **Motion carried with unanimous support.**

293

294 Olympian Drive Project: Discussion and Direction

295

296 Blue stated a number of representatives were present from the City of Urbana, RPC, and
297 CUUATS, at the request of Board Chair Weibel, to make PowerPoint presentations to the County
298 Board about the Olympian Drive project. Libby Tyler, the City of Urbana Community
299 Development Director, began by showing a picture of the Land Resource Management Plan
300 (LRMP) to give the planning context of the existing Olympian Drive within the long-range
301 transportation plan adopted by the County, City of Champaign, City of Urbana, and the University
302 of Illinois. Tyler cited the historic reference to Olympian Drive and showed the Board the Urbana
303 Comprehensive Plan adopted in 2005. The City of Urbana spent over 4 years in public engagement
304 to develop the best planning document. She continued to describe Urbana’s planning for growth
305 and infrastructure development. While she was showing where the proposed Olympian Drive
306 extension will go on the Urbana Mobility Map and the constraints caused by Frasca Field,
307 Schroeder asked why the acreage shown on the map was in different zoning areas. Tyler explained
308 map showed Urbana’s hopes for how the land would be used in the future, not zoning. She
309 continued to talk about the hotels and industrial business owners in area and how it is an active,
310 thriving area for businesses. She listed the development activity on the north Lincoln and
311 Cunningham Avenues, along with Urbana’s future hopes for development in the area. Towards this
312 ends, Urbana has made infrastructure investments, including sewers, and hopes for private
313 investments and job creation.

314 Schroeder asked when Urbana would update its 2005 plan. Tyler stated the plan is reviewed
315 annually. She hoped to work with this plan in another 4 years, but it would realistically be closer to
316 10 years before the plan could be updated. Schroeder asked if the map for the Olympian Drive
317 project had been updated. Libby confirmed no update had been made to Urbana's Comprehensive
318 Plan.

319

320 Carter remarked how Urbana previously told the County Board they had no concerns about
321 north Lincoln Avenue. Carter wanted to take a survey to determine who would get the most benefit
322 from this potential growth. Tyler said Urbana was focused on growth in other areas.

323

324 Nudo and Moser exited the meeting at 8:31 p.m.

325

326 Tyler continued to answer Carter's questions about how Urbana is trying to catching up to
327 Champaign's growth.

328

329 Nudo returned to the meeting at 8:34 p.m.

330

331 Langenheim said there has been some talk of additional annexations. He wanted to know
332 where and how expensive those annexations would be. Tyler verified she did not know of any
333 upcoming annexations.

334

335 Moser returned to the meeting at 8:35 p.m.

336

337 Kurtz noted the project is talking about 5 years in the future when construction costs will
338 have increased. He wanted to ask a question of Mark Dixon who spoke during public participation.

339

340 Sapp exited the meeting at 8:39 p.m.

341

342 **MOTION** by Kurtz to suspend the rules; seconded by Weibel. **Motion carried with**
343 **unanimous support.**

344

345 Kurtz asked about Apollo Drive and the Atkins Development. Dixon responded the Atkins
346 Group has no holdings in Olympian Drive. It would need rezoning policies, incentives, and
347 infrastructure development to make it work.

348

349 Sapp returned to the meeting at 8:41 p.m.

350

351 Ammons said the maps Tyler showed highlight a development project, not roads. She
352 pointed out that infrastructure, including sewers and other services, has to exist to attract businesses
353 to an area. In a roundtable presentation about Olympian Drive, there was no consideration given to
354 the residents who own land in the area and object to this construction project. Tyler replied most of
355 the area will remain farms for quite some time. She was presenting Urbana's future land use plan.
356 It does not impact anyone's ability to enjoy their land.

357

358 James talked about the mix of residential and light industry in Wilbur Heights and its quality
359 of life. He questioned the quality of life in existence in the Olympian Drive area and the comments
360 he has heard from residents who do not want this road. Tyler said Urbana would protect the
361 residential areas of existing neighborhoods shown in yellow on her map.
362

363 Jay stated the TIF Districts are only beneficial for the TIF holder, not the County. He
364 questioned why the County Board would want to extend any of the TIF Districts as proposed by
365 Urbana.
366

367 Tom Carrino, the City of Urbana Economic Development Manager, spoke about the fiscal
368 impact analysis looking 30 years into the future with the public sector budget developed with the
369 Urbana Comprehensive Plan. He projected the taxing district scenario and revenue with no TIF
370 District and potential job creation. The analysis is on the Olympian Drive project website.
371 Langenheim asked if Urbana was considering a potential Cunningham development. Carrino stated
372 this analysis focuses primarily on Olympian Drive.
373

374 Rita Morocoima-Black reviewed traffic projections through 2035 for the Olympian Drive
375 area. The travel demand model divided Champaign-Urbana into traffic analysis zones and used
376 data based on the roadway network, population, and employment. The final output is average daily
377 trips. Olympian Drive was divided into two traffic analysis zones. Black used population and
378 employment projections through 2035 to project anticipated traffic volume. She explained the
379 model indicates if the Olympian Drive extension is not built, there will be traffic congestion on Ford
380 Harris Road. Nudo asked if Black was talking about 100 more acres per year over a 30-year period.
381 Black answered yes. She stated the projected future safety conditions and congestion were not
382 good. She continued to project traffic volumes on I-74 & US-45 in 2035. She invited the County
383 Board to call her with any questions.
384

385 James stated a study was done projecting growth in south Rantoul and that growth has not
386 occurred. He urged caution in using projections and to always consider the other side.
387

388 Blue spoke about the purpose and need for the Olympian Drive extension to improve access
389 for development, system linkage, and improve traffic circulation. He remarked on the various
390 reports and plans regarding collected traffic volumes by IDOT. Project A is the extension of
391 Olympian Drive to Lincoln Avenue. Project X is the extension of Lincoln Avenue up to Olympian
392 Drive. Project B is going on over to US-45. Project C is the smaller piece on the west end of
393 Champaign over to Duncan Avenue. It would cost an estimated \$15 million for Project A. Project
394 X will cost an estimated \$3.6 million. Project B will cost an estimated \$11 million. Project C will
395 cost an estimated \$1.5 million. Blue stated these costs are based on the design study and the today's
396 construction prices. Through the roundtables and various stakeholder meetings, there seems to be
397 the most support for Project A and Project X being done in the near future. He has provided staging
398 costs from roundtable meetings for various projects. The division of costs for the projects has
399 always been calculated being divided equally between the three entities. Champaign County, the
400 City of Urbana, and the City of Champaign would each pay one-third on Project A. Other parts of
401 the project will be divided depending where they are located. Blue's projected costs do not include

402 add-ons like bicycle lanes or medians. Kurtz noted those amounts are not projected at five-year
403 costs. Blue confirmed the dollars amounts are 2010 figures.

404
405 Blue reviewed the County Motor Fuel Tax Fund balance and existing projects. By FY2012,
406 if the County maintains 35% of its MFT money for fringe roads in a separate account, then a
407 balance of \$187,000 will be available. The Olympian Drive and Lincoln Avenue project fit in with
408 setting aside 35% of the County's Motor Fuel Tax funds for fringe roads without going too far into
409 the red ink. Blue's projections assume no other projects will come up between now and when
410 Olympian Drive is begun.

411
412 Kurtz asked about the possibility of receiving \$7-9 million in federal funding for Project B.
413 Blue stated that money is in the new federal transportation bill, which has not been approved and
414 keeps being extended. Kurtz has heard Durbin and Johnson do not support the expenditure on
415 Olympian Drive and the federal dollars will not be received. Blue said, at this time, those federal
416 dollars are not available for Project B.

417
418 Wysocki exited the meeting at 9:23 p.m.

419
420 Beckett inquired whether Blue considered the numbers and data shown tonight as being
421 good for the Board to use to base its decision. Blue answered yes. Beckett asked if there was any
422 good reason to not support a project that has been planned for this long and has this data behind it.
423 Blue said everything is built as it is needed and as the money comes in. He was following same
424 concept with Olympian Drive. Typical planning is based on what the County needs and what they
425 can afford.

426
427 Wysocki returned to the meeting at 9:24 p.m.

428
429 Nudo suggested that the Lincoln portion was logical thing to do at this point. Carrino's five-
430 year projections can be compared to what actually happens five years in the future after the Lincoln
431 portion is built. The Board has time to take look at the completion to Cunningham in reasonable
432 way. Nudo listed the provisions of his support for the project, which he also distributed to the
433 Board.

434
435 Weibel asked Blue is the Curtis Road or Windsor Road planning was done in one shot or
436 stages. Blue responded the planning documents were done in beginning, and then the projects were
437 built in stages.

438
439 McGinty asked for an explanation as to the goal of this discussion from a County Board
440 standpoint. He read in the newspaper the Board Chair was intending to ask for a straw poll on
441 Olympian Drive tonight. Weibel explained he and Blue discussed this topic after the last County
442 Board meeting. He asked if the Board wanted to hear more from other entities or take a straw poll
443 now. To be upfront, McGinty stated he was the Economic Development Corporation Board, but is
444 not representing the EDC. He supports the long-range transportation plan, yet the matter of its pace
445 is questionable. He felt taking a straw poll about the Olympian Drive project tonight was premature
446 when public engagement is still ongoing and information that will influence the Board's decision,

447 such as the price tag of adding medians, is not settled. If forced to vote on the project, he indicated
448 Project A and Project X make sense with certain caveats. He stressed that getting the public behind
449 this project is important. Blue stated an open house for the Olympian Drive project will be held on
450 October 6th at the Urbana Civic Center. It is open to everyone in the community. Langenheim said
451 the Board needed a concrete proposal before them and pointed out a straw poll will not commit
452 anyone. He appreciated tonight's unemotional presentation of facts.

453
454 Michaels asked Blue about the timeframe for a decision. Blue responded that the ICC
455 money is the project plan around the 2014 timeframe. It takes a long time to get through the
456 process. It will likely take 18 months to design the project. There definitely needs to be a decision
457 made so people can move forward and begin the process. Blue feared waiting too long because the
458 ICC money has been moved to other projects three times. He felt his last request to move the
459 money will be last one that will be taken lightly.

460
461 **MOTION** by Kurtz to call for a straw poll vote on Project A&X and to ask Urbana to stop
462 spending any additional money on Project B in any way; seconded by O'Connor.

463
464 Kurtz felt there was a consensus amongst Board members about the project. Ammons asked
465 if this was a motion for a straw poll and Cowart confirmed it was. Ammons said she did not believe
466 it was the appropriate time for a straw poll. Knott asked if a Board member could make a motion
467 on whether or not to take a straw poll, as Kurtz did, and asked Beckett as the sometime
468 Parliamentarian for his advice. Beckett verified such a motion could be made at a Committee of the
469 Whole meeting. Knott asked to make an amendment to the motion asking the Board Chair to
470 appoint a subcommittee of three to five Board members to sit down with Blue and hammer Project
471 A& X out in order to bring something concrete back that the Board could maybe vote up or down.
472 He felt some direction needs to be given. Weibel questioned what needs to be hammered out.
473 Knott said they needed to list what needs to be included in the agreement to receive enough votes to
474 pass at the Board level. Weibel thought they should have a vote to direct staff to go in a certain
475 direction, but the Board members are not planners or engineers. He thought that everyone at the
476 meeting had pretty much said Project A&X is the best way to go. A straw poll probably is not
477 needed because it is meaningless without the money to back it up or a contract to sign. Weibel said
478 the next County Board will really make the decision about where things go. Knott did not
479 necessarily disagree, but felt Blue has been given no direction. The details for this project are being
480 heavily discussed and it would be preferable to hammer out something a majority on which a
481 majority of Board members concur or it will never come to a conclusion. The Board continued to
482 discuss whether to take a straw poll and the Olympians Drive project history.

483
484 Beckett, Weibel, and O'Connor exited the meeting at 9:48 p.m. Beckett returned to the
485 meeting at 9:51 p.m.

486
487 Sapp said he will not support any project because there is no money. He is representing
488 people who cannot afford higher taxes.

489
490 O'Connor returned to the meeting at 9:52 p.m. Weibel returned to the meeting at 9:53 p.m.

491

492 Gladney questioned what a straw poll would accomplish. He felt tonight's presentations
493 were in favor of the Olympian Drive project and it seems this train has already left the station. Blue
494 stated he would like to know what he is supposed to be representing as an agent of the County
495 Board when he sits in the Olympian Drive Subcommittee meetings. Presently, he is representing
496 the hard data of facts and figures as a County Engineer and has avoided representing what the
497 County Board was willing to do. This has been very difficult for Blue to do.

498
499 Jay called the question; seconded by Kurtz.

500
501 Langenheim objected to the straw poll proposition because he did not believe the County
502 Board should tell the City of Urbana what it ought to do.

503
504 Kurtz reiterated calling the question. Cowart announced the question was called. Moser
505 called for a point of order because he has been listening to this discussion since 1994. Some Board
506 members questioned what the motion was. Beckett and Weibel confirmed the motion was whether
507 to have a straw poll. Cowart called for a show of hands in favor of taking a straw poll. Kurtz
508 claimed his motion was to have a straw poll on Project A&X. Beckett disagreed that Kurtz's
509 motion was asking a procedural question. Cowart ruled the motion was whether to take a straw poll
510 and the vote would be taken with a show of hands.

511
512 **Motion failed.**

513
514 Gladney and Langenheim exited the meeting at 10:00 p.m. The Board discussed how to
515 proceed on the Olympian Drive question. Knott and Kurtz exited the meeting at 10:01 p.m.

516
517 Carter asked if the money was in place to fund the project. Blue said the monies were
518 shown on the spreadsheet in the PowerPoint presentation. It appears the money is in place based on
519 the County's commitment to the resolution funding fringe roads.

520
521 Michaels exited the meeting at 10:01 p.m.

522
523 Schroeder asked for an action item to be placed on next month's agenda. Beckett remarked
524 the Board needs to have something like a resolution directing the administration to negotiate an
525 amended intergovernmental agreement to consider for a vote. He did not support placing Olympian
526 Drive on an agenda for more discussion without resolution. Nudo supported the idea of forming a
527 subcommittee to develop an outline with staff and the two other governmental bodies. He
528 concurred the Board needs something concrete.

529
530 **MOTION** by Nudo for the County Board Chair to appoint two Republicans, two
531 Democrats, and the Board Chair himself to a committee to work with Champaign and Urbana to
532 hammer out a concrete idea of costs and priorities for the Olympian Drive project by the first
533 Committee of the Whole meeting in November; seconded by Schroeder.

534
535 Langenheim and Knott returned to the meeting at 10:03 p.m.

536 Beckett was concerned about the Illinois Open Meetings Act and appointing a committee
537 when it is not listed on the agenda. He suggested placing the appointment of a committee on next
538 week's Committee of the Whole meeting under Policy. Nudo was willing to consider Beckett's
539 suggestion as a friendly amendment. Weibel agreed to direct that the item be placed on the next
540 Committee of the Whole agenda without taking a vote.

541
542 Michaels and Kurtz returned to the meeting at 10:04 p.m.

543
544 **Other Business**

545
546 There was no other business.

547
548 **Chair's Report**

549
550 There was no Chair's report.

551
552 **Designation of Items to be Placed on County Board Consent Agenda**

553
554 Agenda item 9.B.2 was designated for the consent agenda.

555
556 Rosales exited the meeting at 10:05 p.m. The Board took a short break before proceeding
557 with the other agenda items. Knott exited the meeting at 10:07 p.m.

558
559 After conferring with Hall, Wysocki announced some changes would be made to the
560 Environment & Land Use items because the Olympians Drive discussion had taken so long and it
561 was past 10:00 p.m. The closed session and RPC FY2011 County Planning Contract Work Plan
562 were deferred to the September 14th meeting. The draft Habitability Ordinance, changing the
563 Zoning Ordinance requirements for coal mining, and the later two requested Zoning Ordinances
564 amendments to implement portions of the LRMP policies were deferred to the October 5th meeting.

565
566 Richards and Sapp exited the meeting at 10:08 p.m. Gladney and Rosales returned to the
567 meeting at 10:09 p.m.

568
569 **ENVIRONMENT & LAND USE**

570 **Zoning Ordinance Amendment**

571 **Final Recommendation to Amend Champaign County Zoning Ordinance Zoning Case 668-AT-10**
572 **Petitioner: Champaign County Zoning Administrator**

573
574 **MOTION** by Beckett to approve amending the Champaign County Zoning Ordinance,
575 Zoning Case 668-AT-10; seconded by James.

576
577 Hall stated this was the text amendment to allow residential recovery centers. There were
578 no protests with the version presented to the Board tonight.

579
580 **Motion carried with unanimous support.**

581 **Draft Habitability Ordinance**

582
583 Deferred to October 5th meeting.

584
585 **Zoning Case 671-AM-10**

586 Request: Amend the Zoning Map to Change the District Designation from the AG-2 Agriculture
587 Zoning District to the B-4 General Business Zoning District to Allow Triad Shredding to Construct
588 a New Facility as Requested in Related Zoning Case 672-S-10

589
590 **MOTION** by James to amend the Zoning Map to Change the District Designation from the
591 AG-2 Agriculture Zoning District to the B-4 General Business Zoning District to Allow Triad
592 Shredding to Construct a New Facility as Requested in Related Zoning Case 672-S-10; seconded by
593 Michaels.

594
595 Hall explained this was a proposed rezoning for a five acre tract for a local business. The
596 testimony at the Zoning Board of Appeals stated Triad Shredding looked at properties in Rantoul
597 and could not find the right one. This property was found. It was located in a business use zone
598 when zoning was first adopted and through the mid-1980's. This property has not been well
599 maintained and has not been in agricultural production since the mid-1980's. The property fronts a
600 U.S. highway and has three-phase power. The business thinks the rural location is better for their
601 needs. It passed all the recently adopted LRMP policies.

602
603 Sapp returned to the meeting at 10:11 p.m.

604
605 Nudo voiced his concerns that the LRMP goals, policies, and objectives were not meant to
606 be binding for rezoning. He did not object to this rezoning case, but in four months buildings in
607 Champaign County will have to follow state codes. He wanted the building to follow the state
608 codes for issues such as sprinklers. He wondered whether this was an end around by a new
609 company and wanted more information before it is approved.

610
611 **MOTION** by Weibel to defer to October 5th meeting; seconded by McGinty.

612
613 James said there were representatives from Triad Shredding in the audience who could
614 answer questions. Weibel said that was out of order for the motion.

615
616 **Motion carried.** A voice vote was inconclusive and the vote was determined with a show
617 of hands.

618
619 Kurtz asked that more information on whether the building complied with state codes by
620 obtained in the time until the next meeting.

621
622 **Changing the Zoning Ordinance Requirements for Coal Mining**

623
624 Deferred to October 5th meeting.

625

626 **Direction to Zoning Administrator Regarding Proposed Zoning Ordinance Text Amendments**
627 **Amend the Champaign County Zoning Ordinance Requirements for Dwellings That Are**
628 **Nonconforming Uses by (1) Removing the Limit on Annual Maintenance and (2) Authorizing**
629 **Reconstruction**

630
631 **MOTION** by James to conduct a Zoning Ordinance text amendment for dwellings that are
632 nonconforming uses by (1) removing the limit on annual maintenance and (2) authorizing
633 reconstruction; seconded by Beckett.

634
635 James appreciated the history provided by Hall in the agenda packet. He advised that the
636 County should sit down with the other entities to develop a plan with timeframes to make this clear
637 to all. Hall said it could be included as conditions in the permitting process.

638
639 **Motion carried with unanimous support.**

640
641 **Request to Amend the Champaign County Zoning Ordinance to Implement Land Resource**
642 **Management Policies 4.1.5, 4.1.7, and 4.1.9 as part of the FY2010 RPC Planning Contract**
643

644 **MOTION** by Kurtz to amend the Champaign County Zoning Ordinance to implement Land
645 Resource Management Policies 4.1.5, 4.1.7, and 4.1.9 as part of the FY2010 RPC Planning
646 Contract; seconded by Anderson.

647
648 **MOTION** by Moser to defer to October 5th meeting because it was after 10:20 p.m.;
649 seconded by Langenheim.

650
651 Beckett noted Hall felt this item needed to be addressed and asked why it was time sensitive.
652 Hall said it would let the County Planner begin the most simple text amendment. It would not be
653 the end of the world to defer it to next month. They will begin work on other things they were not
654 really supposed to work on in FY2010. They will have to shift things around because the
655 contracted Planner works on things as directed by the County Board. Nudo said Monte or another
656 Planner should go through the clauses for items that codify the LRMP. He offered to walk through
657 it with Monte. He wanted Monte or someone to make a presentation in the future. Wysocki noted
658 Monte was present at the meeting. Hall said the text in Attachment D was ready to go to the public
659 hearing. He did not want to send it to the County Board until they were ready for a public hearing.
660 Nudo responded that the communication between Planner and County Board was really important
661 to ensure the Board understands the impact of the LRMP and have faith in it.

662
663 **Motion carried to defer.**

664
665 **Request to Amend the Champaign County Zoning Ordinance to Implement Land Resource**
666 **Management Policies 4.1.6 and 4.3.1-4.3.4 as part of the FY2010 RPC Planning Contract**
667

668 Deferred to October 5th meeting.
669

670 Request to Amend the Champaign County Zoning Ordinance to Implement Land Resource
671 Management Objective 4.4 as Part of the FY2010 RPC Planning Contract

672
673 Deferred to October 5th meeting.

674
675 **RPC FY2011 County Planning Contract Work Plan**

676
677 Deferred to September 14th Committee of the Whole meeting.

678
679 Monthly Report

680
681 There was no action taken or discussion over this agenda item.

682
683 **Other Business**

684
685 There was no other business.

686
687 **Chair's Report**

688
689 There was no Chair's report.

690
691 **Designation of Items to be Placed on County Board Consent Agenda**

692
693 Agenda item 10.A.1 was designated for the consent agenda.

694
695 **OTHER BUSINESS**

696 Closed Session Pursuant to 5 ILCS 120/2 (c) 1 to Consider the Employment, Compensation,
697 Discipline, Performance, or Dismissal of Specific Employees of Champaign County

698
699 Deferred to September 14th Committee of the Whole meeting.

700
701 **CLOSED SESSION MINUTES**

702 Approval of August 3, 2010 Closed Session Minutes

703
704 **MOTION** by James to approve the August 3, 2010 closed session minutes; seconded by
705 Rosales. **Motion carried with unanimous support.**

706
707 Semi-Annual Review of Closed Session Minutes

708
709 **MOTION** by Weibel for all closed session minutes to remain closed; second by Gladney.

710
711 **MOTION** by Weibel to defer to October 5th meeting; seconded by Kurtz.

712

713 Weibel said he has been talking with David DeThorne of the State's Attorney's Office and
714 there can be some disagreement about whether to open the minutes. Weibel suggested coming up
715 with some policies to better deal with closed session minutes at a later meeting.

716

717 **Motion carried to defer.**

718

719 Beckett asked for the Environment and Land Use items to be placed first on the next agenda
720 and Wysocki concurred.

721

722 **ADJOURNMENT**

723

724 The meeting was adjourned at 10:27 p.m.

725

726 Respectfully submitted,

727

728 Kat Bork

729 Administrative Assistant

730

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



**STATE OF ILLINOIS
COUNTY OF CHAMPAIGN**

**ENTERTAINMENT, RECREATION,
LODGING OF TRANSIENTS, AND RACEWAYS LICENSE**

No. 2010-ENT-23

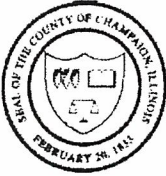
**EGYPTIAN COLLECTORS ASSOCIATION, INC.
Hunting and Trade Show**

License is hereby granted to Egyptian Collectors Association, Inc. to provide Recreation/Entertainment at the Champaign County Fairgrounds at 902-1302 N Coler Ave in Urbana, IL in Champaign County for October 16th and 17th, 2010 . This License expires on the 18th day of October, 2010 at 12:01am.

Witness my Hand and Seal this 5th day of October, A.D. 2010.

Chairman, Champaign County License Commission

Mark Shelden, Champaign County Clerk



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

FOR ELUC USE ONLY

County Clerk's Office

- 1. Proper Application Date Received: 9/10/10
- 2. Fee Amount Received: 24.00

Sheriff's Department

- 1. Police Record Approval: TV542 Date: 9/13/10
- 2. Credit Check Disapproval: _____ Date: _____

Remarks: _____ Signature: J. Dogan

Planning & Zoning Department

- 1. Proper Zoning Approval: ✓ Date: 9/23/10
- 2. Restrictions or Violations Disapproval: _____ Date: _____

Remarks: _____ Signature: [Signature] ZONING ADMINISTRATOR

Fairgrounds authorized as Special Use in the CR District in Case 962-S-94 and this use is consistent with the Special Use.

Environment & Land Use Committee

- 1. Application Complete Approval: _____ Date: _____
 - 2. Requirements Met Disapproval: _____ Date: _____
- Signature: _____

Remarks and/or Conditions: _____



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

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

FILED

Filing Fees: 2010

Mark Shelden
CHAMPAIGN COUNTY

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

For Office Use Only

License No. 2010-ENT23
Date(s) of Event(s) Oct 16+17, 2010
Business Name: ECA, Inc
License Fee: \$ 20.00
Filing Fee: \$ 4.00
TOTAL FEE: \$ 24.00
Checker's Signature: [Signature]

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

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

- A. 1. Name of Business: EGYPTIAN COLLECTORS ASSOCIATION INC
- 2. Location of Business for which application is made: 212 1/2 E. BROADWAY
P.O. BOX 128 CENTRALIA, IL 62801
- 3. Business address of Business for which application is made: CHAMPAIGN CO
FAIRGROUNDS 902-1302 N. COLER AV. URBANA, IL 61803
- 4. Zoning Classification of Property: FAIRGROUNDS
- 5. Date the Business covered by Ordinance No. 55 began at this location: _____
- 6. Nature of Business normally conducted at this location: CHAMPAIGN Co.
FAIR
- 7. Nature of Activity to be licensed (include all forms of recreation and entertainment to be provided): HUNTING + TRADE SHOW
- 8. Term for which License is sought (specifically beginning & ending dates): OCT 16+17, 2010

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

- 9. Do you own the building or property for which this license is sought? No
- 10. If you have a lease or rent the property, state the name and address of the owner and, when the lease or rental agreement expires: CHAMPAIGN Co. FAIR
SAME ADD (EX: Oct 17 2010 - 9:00PM)
- 11. If any licensed activity will occur outdoors attach a Site Plan (with dimensions) to this application showing location of all buildings, outdoor areas to be used for various purposes and parking spaces. See page 3, Item 7.

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

Recreation & Entertainment License Application
Page Three

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

N/A

Give first date qualified to do business in Illinois:

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

212 1/2 E. BIRWAY CENTRALIA, IL 62801

5. Objects of Corporation, as set forth in charter: CLOTHING - EXHIBIT - TRADE + SELL

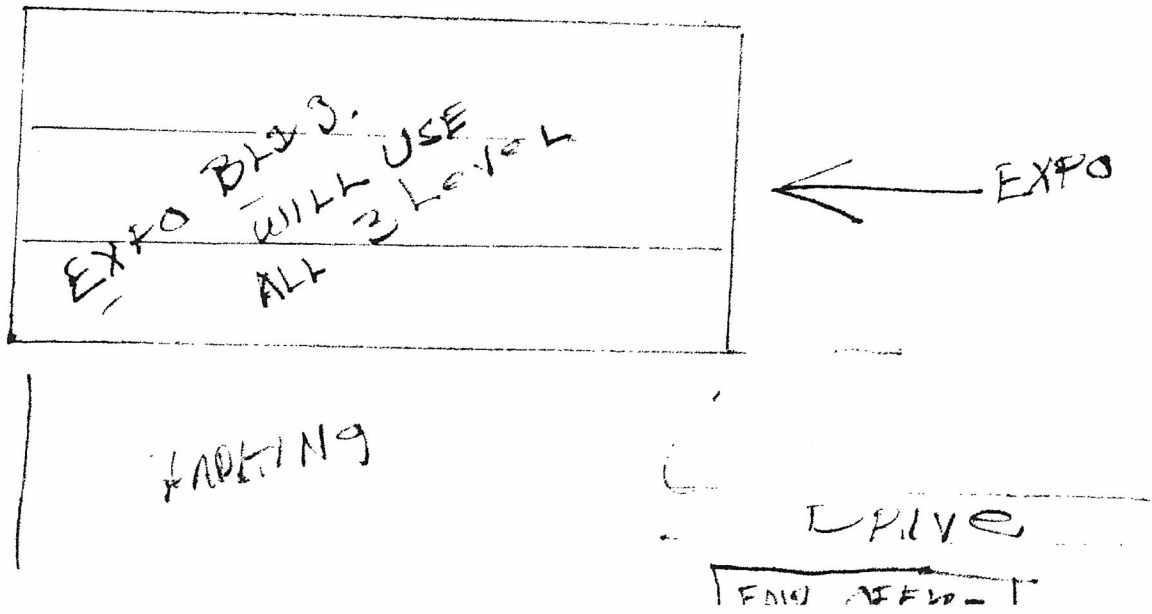
6. Names of all Officers of the Corporation and other information as listed:

Name of Officer: BOB LECKrone Title: PRESIDENT
Date elected or appointed: 6/20/1996 Social Security No.:
Date of Birth: Place of Birth: SALEM, IL 62881
Citizenship: UNITED STATES
If naturalized, place and date of naturalization: N/A

Residential Addresses for past three (3) years: 211 N. OGDON
HOFFMAN, IL 62850

Business, occupation, or employment for four (4) years preceding date of application for this license: PRESIDENT (ECA INC)

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



Recreation & Entertainment License Application
Page Two

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

Name: N/A Date of Birth: _____
Place of Birth: _____ Social Security No.: _____
Residence Address: _____
Citizenship: _____ If naturalized, place and date of naturalization: _____

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

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

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

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

- C. 1. Name(s) of owner(s) or local manager(s) (include any aliases): JUNE LECKRONE
Date of Birth: _____ Place of Birth: Salem, IL
Social Security Number: _____ Citizenship: USA
If naturalized, state place and date of naturalization: N/A
- 2. Residential Addresses for the past three (3) years: 211 N. CHERRY ST. HOFFMAN, IL 62250
- 3. Business, occupation, or employment of applicant for four (4) years preceding date of application for this license: Show Coordinator ECA INC.

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

D. Answer only if applicant is a Corporation:

- 1. Name of Corporation exactly as shown in articles of incorporation and as registered: EGYPTIAN COLLECTORS ASSOC. INC.
- 2. Date of Incorporation: 1986 State wherein incorporated: IL

Recreation & Entertainment License Application
Page Four

AFFIDAVIT

(Complete when applicant is an Individual or Partnership)

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

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

Signature of Owner or of one of two members of Partnership

Signature of Owner or of one of two members of Partnership

Signature of Manager or Agent

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

Notary Public

AFFIDAVIT

(Complete when applicant is a Corporation)

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

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

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

Bob DeLeon
Signature of President

Jan E. Lebroni
Signature of Secretary

Bob DeLeon
Signature of Manager or Agent



Subscribed and sworn to before me this 8th day of September, 2010.

Charlotte D. Carter
Notary Public

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

Champaign
County
Department of



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

To: **Champaign County Board Committee of the Whole**
From: **JR Knight, Associate Planner**
John Hall, Zoning Administrator

Date: **September 27, 2010**

RE: **Recommendation for rezoning Case 671-AM-10**

Request **Amend the Zoning Map to change the district designation from the AG-2 Agriculture Zoning District to the B-4 General Business Zoning District to allow Triad Shredding to construct a new facility as requested in related Zoning Case 672-S-10.**

Petitioner **Zoning Administrator**

~~(217) 384-3708~~

STATUS

The Committee deferred action on this case at the September 7, 2010, meeting.

Since that meeting a letter of support from the Village of Rantoul was received on September 13, 2010 (see attached).

ATTACHMENTS

- A Letter from Village of Rantoul, received on September 13, 2010
- B Memorandum dated August 30, 2010



Village of
Rantoul

333 S. Tanner Street
P.O. Box 38
Rantoul, IL 61866

Phone 217.893.1661
Fax 217.892.5501

September 9, 2010

Champaign County Board
1176 E. Washington
Urbana, IL 61802

Re: Triad Shredding

RECEIVED

SEP 13 2010

**CHAMPAIGN COUNTY
ADMINISTRATIVE SERVICES**

Dear Members of the Champaign County Board:

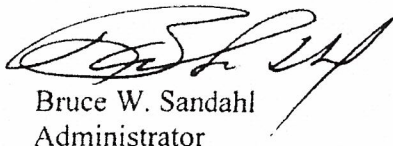
On behalf of the Village of Rantoul we are submitting a letter of support for Triad Shredding's new proposed facility located east of the Village of Rantoul's corporate limits on Route 136. Triad Shredding has been an excellent tenant of the Village for more than five (5) years.

The Village has been working with Triad over the past four (4) years in assisting them in finding other facilities due to business growth and their need for a larger facility with specific requirements such as a loading dock. The building facilities that are currently available in Rantoul are too large for their needs and cost prohibitive to renovate and operate.

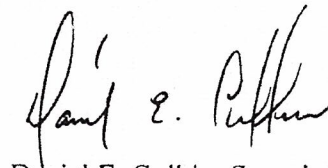
Triad Shredding desires to have their facility in and around the Rantoul area because their current labor force is located in Northern Champaign County.

The Village of Rantoul supports the Champaign County Zoning Board of Appeals and their recommendation to support the Triad Shredding zoning change and asks the Champaign County Board to support this as well.

Sincerely,



Bruce W. Sandahl
Administrator



Daniel E. Culkin, Superintendent
Department of Inspections

BWS:jew

Champaign
County
Department of



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

(217) 384-3708

To: **Champaign County Board Committee of the Whole**
From: **JR Knight**, Associate Planner
John Hall, Zoning Administrator

Date: **August 30, 2010**

RE: **Recommendation for rezoning Case 671-AM-10**

Request **Amend the Zoning Map to change the district designation from the AG-2 Agriculture Zoning District to the B-4 General Business Zoning District to allow Triad Shredding to construct a new facility as requested in related Zoning Case 672-S-10.**

Petitioner **Zoning Administrator**

STATUS

The Zoning Board of Appeals voted to “RECOMMEND ENACTMENT” for this proposed rezoning at their August 12, 2010, meeting. At the same meeting they approved the related Special Use Permit (Zoning Case 672-S-10) contingent on the County Board’s approval of this proposed rezoning. Relevant maps are attached to the memo. The approved Finding of Fact is attached.

The zoning map amendment is intended to provide for the relocation of Triad Shredding Corporation which is currently located in the Rantoul Business Center. This is the first rezoning to come before the ZBA since the adoption of the Land Resource Management Plan, and the ZBA found that the rezoning achieved or conformed to all relevant Goals, Objectives, and Policies from that plan.

The subject property has historically been in business use, see below for further discussion.

Several special conditions of approval have been recommended. The rationale behind the conditions is reviewed below, and the conditions are listed in Attachment

This case is not located within any municipal ETJ, and no formal protests have been received from neighboring land owners.

HISTORIC BUSINESS USE OF SUBJECT PROPERTY

The historic business use of the subject property was significant in the ZBA’s recommendation. The history of the subject property as shown in Item 6.C. of the Finding of Fact is, as follows:

- Earl Smith, Assessor for Harwood Township, in a phone discussion with Lori Busboom, Zoning Technician, on July 29, 2010, indicated that Werner Roessler purchased the subject property in 1964.
- The existing building on the subject property was built in 1966, based on the Supervisor of Assessment tax records.
- Miller’s Meat Market was established on the subject property before October 10, 1973.
- The 1972 Supervisor of Assessment aerial photographs show that the property was partially in agricultural production at that time.

Champaign
County
Department of

**PLANNING &
ZONING**

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

(217) 384-3708

To: **Champaign County Board Committee of the Whole**
From: **JR Knight, Associate Planner**
John Hall, Zoning Administrator

Date: **August 30, 2010**

RE: **Recommendation for rezoning Case 671-AM-10**

Request **Amend the Zoning Map to change the district designation from the AG-2 Agriculture Zoning District to the B-4 General Business Zoning District to allow Triad Shredding to construct a new facility as requested in related Zoning Case 672-S-10.**

Petitioner **Zoning Administrator**

STATUS

The Zoning Board of Appeals voted to "RECOMMEND ENACTMENT" for this proposed rezoning at their August 12, 2010, meeting. At the same meeting they approved the related Special Use Permit (Zoning Case 672-S-10) contingent on the County Board's approval of this proposed rezoning. Relevant maps are attached to the memo. The approved Finding of Fact is attached.

The zoning map amendment is intended to provide for the relocation of Triad Shredding Corporation which is currently located in the Rantoul Business Center. This is the first rezoning to come before the ZBA since the adoption of the Land Resource Management Plan, and the ZBA found that the rezoning achieved or conformed to all relevant Goals, Objectives, and Policies from that plan.

The subject property has historically been in business use, see below for further discussion.

Several special conditions of approval have been recommended. The rationale behind the conditions is reviewed below, and the conditions are listed in Attachment

This case is not located within any municipal ETJ, and no formal protests have been received from neighboring land owners.

HISTORIC BUSINESS USE OF SUBJECT PROPERTY

The historic business use of the subject property was significant in the ZBA's recommendation. The history of the subject property as shown in Item 6.C. of the Finding of Fact is, as follows:

- Earl Smith, Assessor for Harwood Township, in a phone discussion with Lori Busboom, Zoning Technician, on July 29, 2010, indicated that Werner Roessler purchased the subject property in 1964.
- The existing building on the subject property was built in 1966, based on the Supervisor of Assessment tax records.
- Miller's Meat Market was established on the subject property before October 10, 1973.
- The 1972 Supervisor of Assessment aerial photographs show that the property was partially in agricultural production at that time.

- A meat market is believed to have operated on the property into the late 1980's.
- The property was purchased by Robert Glazik in 1987, which is also when the property was taken out of production, based on the Supervisor of Assessment tax records.
- Tony Delio purchased the property in 1995, and there were two Nuisance Violation cases during his ownership of the property. The second nuisance violation was ongoing when Triad Shredding purchased the property.

RATIONALE FOR SPECIAL CONDITIONS

The recommended special conditions of approval are intended to ensure the following:

1. Conformance with LRMP Goals, Objectives, and Policies. (Condition #1)
2. Public health concerns related to the blanket rezoning to B-4. (Conditions #2, #3, #4, and #5)
3. IDOT approval of driveway entrance to US 136. (Condition #6)

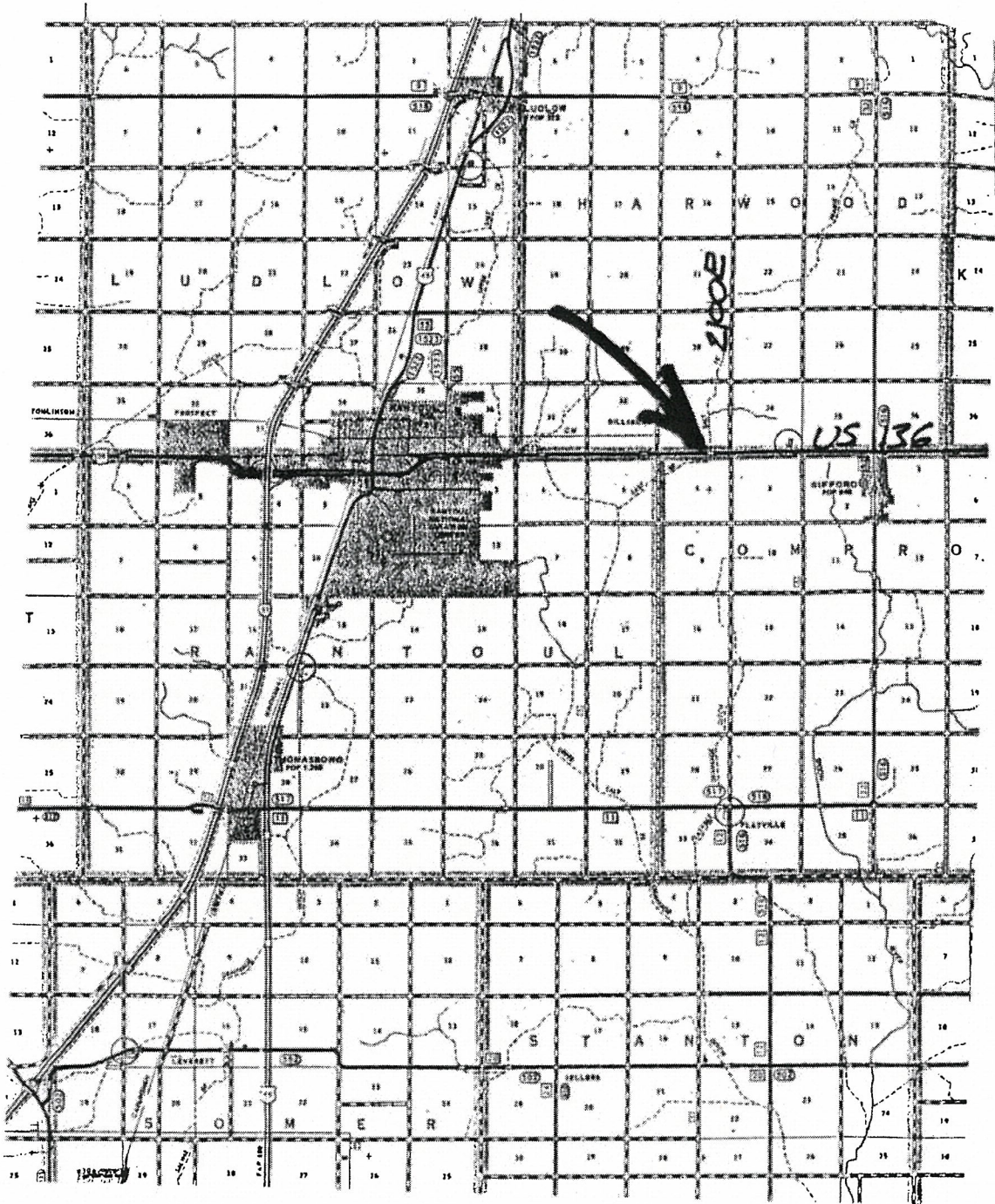
ATTACHMENTS (excerpted from the Documents of Record)

- A Case Maps for Cases 671-AM-10 & 672-S-10
- B Proposed Site Plan
- C Recommended Special Conditions of Approval
- D As Approved Finding of Fact for Case 671-AM-10

ATTACHMENT A. LOCATION MAP

Cases 671-AM-10 and 672-S-10

JULY 29, 2010



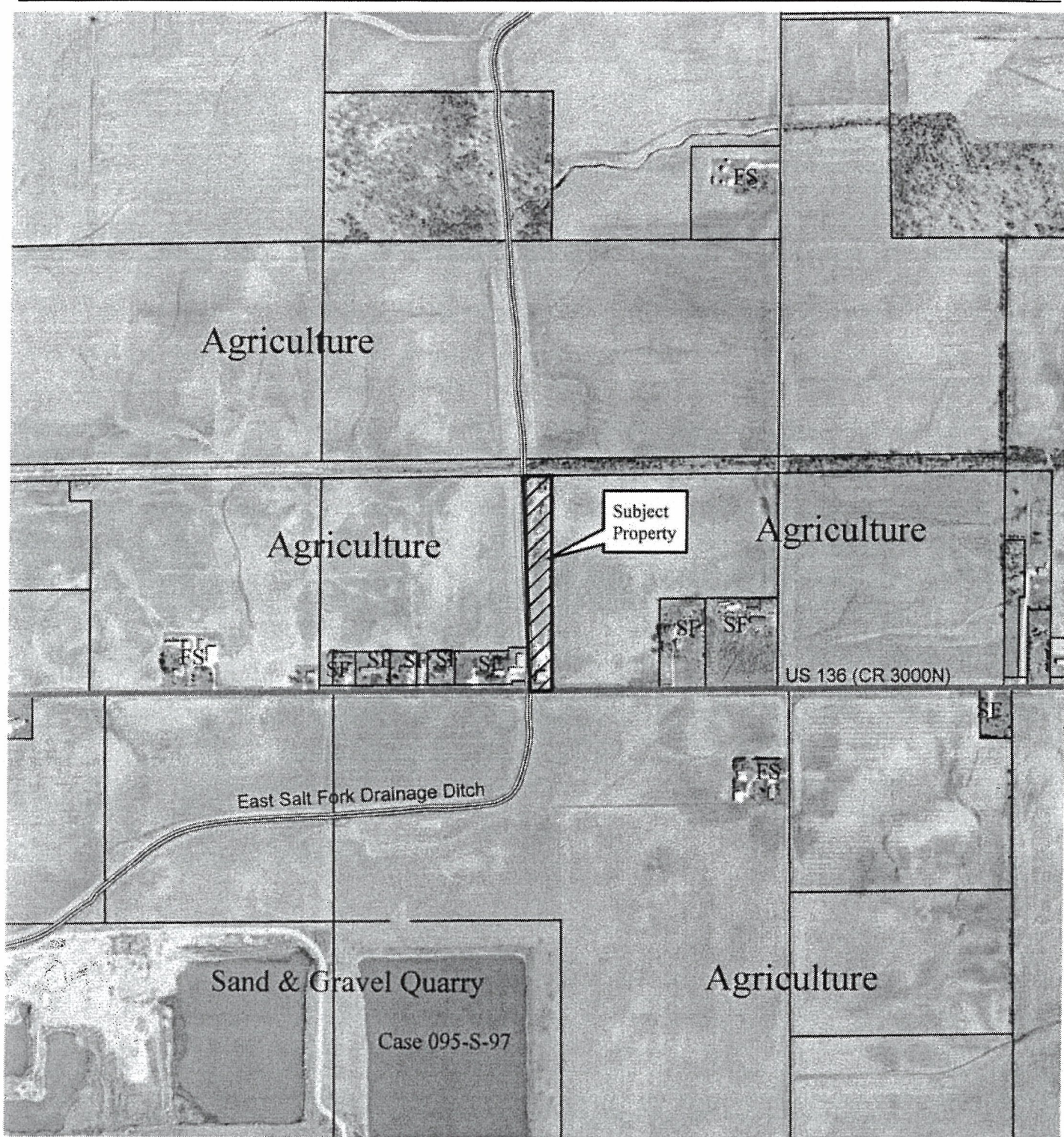
Champaign
County
Department of
PLANNING &
ZONING


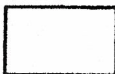
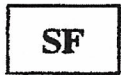
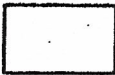

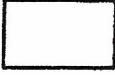


ATTACHMENT A. LAND USE MAP

Cases 671-AM-10 and 672-S-10

JULY 29, 2010



	Area of Concern	
	Single Family	
	Farmstead	



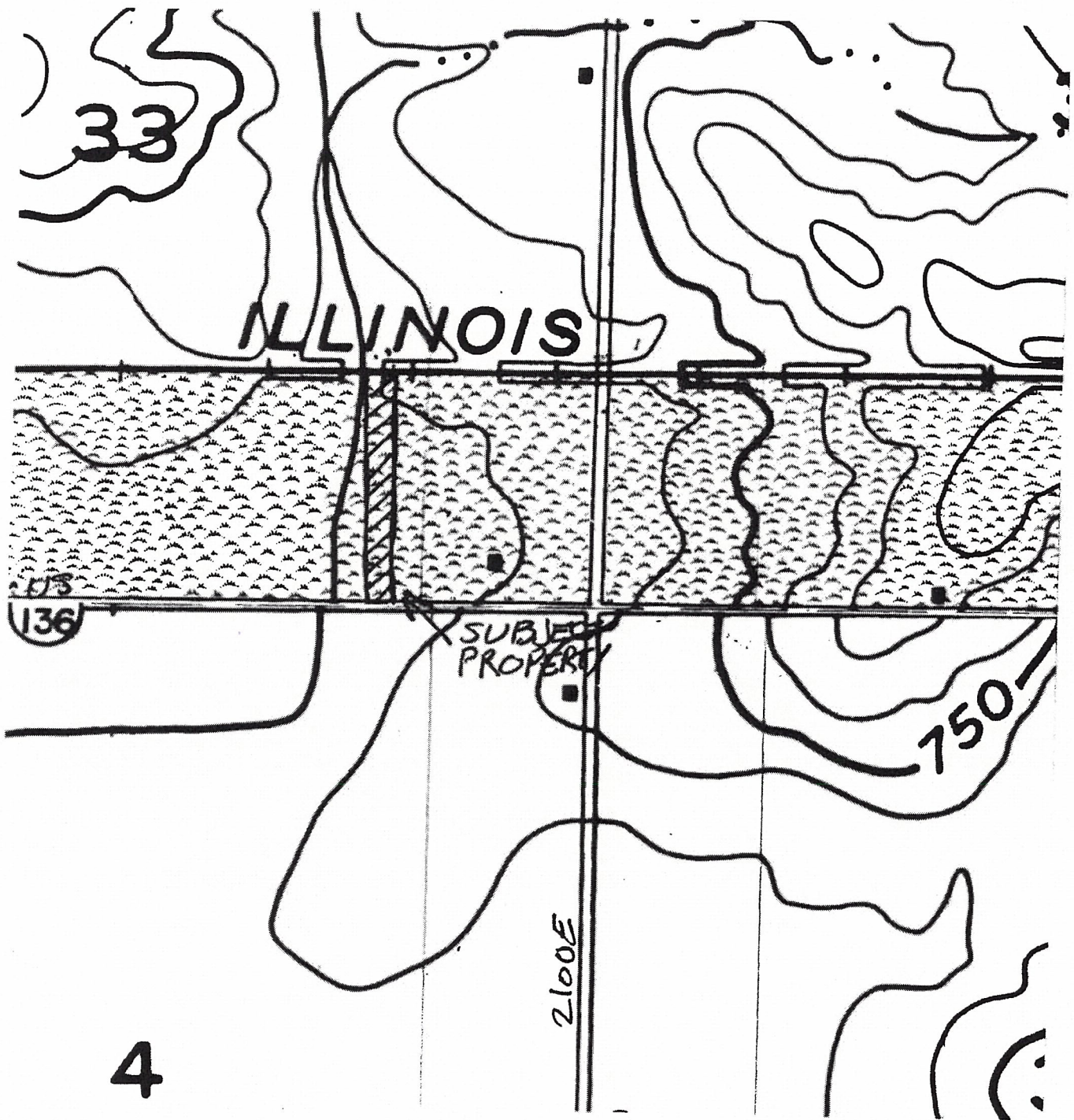
1 inch = 800 feet

Champaign
County
Department of
**PLANNING &
ZONING**

ATTACHMENT A. ZONING MAP

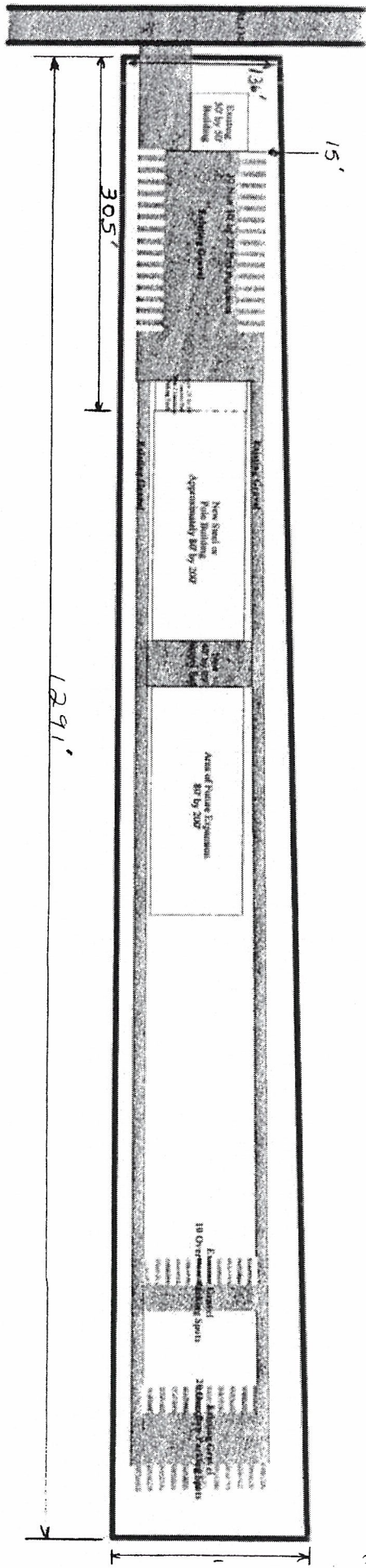
Cases 671-AM-10 and 672-S-10

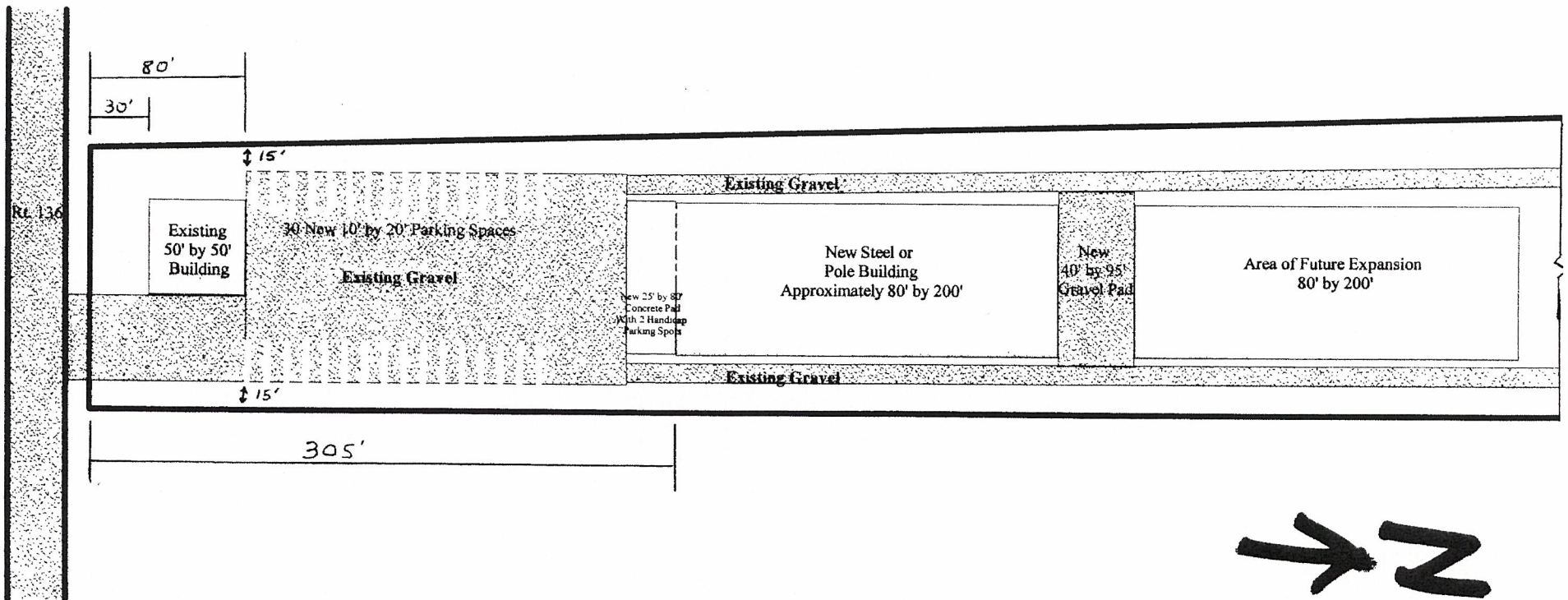
JULY 29, 2010



1 inch equals 800 feet

AG-1 Agriculture	R-1 Single Family Residence	R-4 Multiple Family Res.	B-2 Neighborhood Business	B-5 Central Business	NORTH
AG-2 Agriculture	R-2 Single Family Residence	R-5 Mobile Home Park	B-3 Highway Business	I-1 Light Industry	
CR Conservation- Recreation	R-3 Two-family Residence	B-1 Rural Trade Center	B-4 General Business	I-2 Heavy Industry	





RECOMMENDED SPECIAL CONDITIONS OF APPROVAL

1. The owners of the subject property hereby recognize and provide for the right of agricultural activities to continue on adjacent land consistent with the Right to Farm Resolution 3425.
2. Business use of the entire property shall not generate more wastewater than the equivalent of a three bedroom dwelling as specified in the *Illinois Private Sewage Disposal Licensing Code*.
3. The Zoning Administrator shall not approve a Zoning Use Permit on the subject property without a letter from the Champaign County Health Department certifying as follows:
 - (a) The proposed use will not generate more wastewater than a three bedroom dwelling; and
 - (b) In the case that a new onsite wastewater disposal system is installed, the owner has consulted with the County Health Department and has identified the most appropriate location on the property for a wastewater treatment and disposal system and said location will be fenced and protected during other construction activities; or
 - (c) In the case that an existing wastewater treatment and disposal system is used, the owner has consulted with the County Health Department and has determined whether the existing system is adequate for the proposed use of the property, identified the location of the existing system, and that said location will be fenced and protected during construction activities.
4. The Zoning Administrator shall not approve any Zoning Use Permit on the subject property unless the Zoning Use Permit Application includes floor plans for all buildings that explicitly indicate whether floor drains will be provided.
5. The Zoning Administrator shall not approve a Zoning Compliance Certificate without the following documentation:
 - (a) Any floor drain must have been approved by the Illinois Plumbing Code Inspector.
 - (b) If the Certificate is approved after July 1, 2011, there must be a certification that the building complies with the 2006 edition of the International Building Code as required by 20 ILCS 3105/10.09-1.
6.
 - (1) The petitioners shall provide IDOT with all information necessary to either approve the existing driveway for the proposed use or to determine what improvements are necessary to meet IDOT standards.
 - (2) The Zoning Administrator shall not approve a Zoning Use Permit for the subject property without documentation of IDOT's approval of either the existing driveway entrance or the existing driveway with necessary improvements.
 - (3) The Zoning Administrator shall not issue a Zoning Compliance Certificate without documentation of IDOT's approval of any newly constructed driveway entrance including any necessary as-built engineering drawings.

AS APPROVED

671-AM-10

**FINDING OF FACT
AND FINAL DETERMINATION
of**

Champaign County Zoning Board of Appeals

Final Determination: **RECOMMEND ENACTMENT**

Date: August 12, 2010

Petitioner: James Finger, President, and Lisa M. Feig, Vice President, d.b.a. Triad Shredding Corp.

Request: Amend the Zoning Map to change the district designation from the AG-2 Agriculture Zoning District to the B-4 General Business Zoning District to allow Triad Shredding to construct a new facility as requested in related Zoning Case 672-S-10.

FINDING OF FACT

From the documents of record and the testimony and exhibits received at the public hearing conducted on **July 29, 2010 and August 12, 2010**, the Zoning Board of Appeals of Champaign County finds that:

- 1.* The petitioners' business, Triad Shredding Corp, recently purchased the subject property. The petitioners have requested a Special Use Permit to construct a new facility for Triad Shredding on the subject property in related Zoning Case 672-S-10.
- 2.* The subject property is a 4.35 acre tract in the East Half of the East Half of the Southwest Quarter of the Southeast Quarter of Section 33 of Harwood Township and commonly known as the Triad Shredding property at 2074 CR 3000N (US 136), Rantoul.
- 3.* The subject property is not located within the one and one-half mile extraterritorial jurisdiction of municipality with zoning.
4. Regarding comments by petitioners, when asked on the petition what error in the present Ordinance is to be corrected by the proposed change, the petitioner has indicated:

“We intend to rectify current zoning violations as well as construct a new building for our shredding operations.”
5. Regarding comments by the petitioner when asked on the petition what other circumstances justify the rezoning the petitioner has included a letter, which indicates they intend to build a facility to expand their existing business, and they will possibly refurbish the existing building on the site.

*Same evidence as in related Zoning Case 672-S-10

GENERALLY REGARDING LAND USE AND ZONING IN THE IMMEDIATE VICINITY

- 6.* Regarding the history, current use, and zoning of the subject property:
- A. The subject property is zoned AG-2 Agriculture and is proposed to be rezoned to B-4 General Business in this case.
 - B. The subject property is proposed to be the site of a new facility for Triad Shredding in related Zoning Case 672-S-10.
 - C. Regarding the history of the subject property:
 - (1) Earl Smith, Assessor for Harwood Township, in a phone discussion with Lori Busboom, Zoning Technician, on July 29, 2010, indicated that Werner Roessler purchased the subject property in 1964.
 - (2) The existing building on the subject property was built in 1966, based on the Supervisor of Assessment tax records.
 - (3) Miller's Meat Market was established on the subject property before October 10, 1973.
 - (4) The 1972 Supervisor of Assessment aerial photographs show that the property was partially in agricultural production at that time.
 - (5) A meat market is believed to have operated on the property into the late 1980's.
 - (6) The property was purchased by Robert Glazik in 1987, which is also when the property was taken out of production, based on the Supervisor of Assessment tax records.
 - (6) Tony Delio purchased the property in 1995, and there were two Nuisance Violation cases during his ownership of the property. The second nuisance violation was ongoing when Triad Shredding purchased the property.
- 7.* Land use and zoning in the vicinity of the subject property are as follows:
- A. Land on the east and west of the subject property is zoned AG-2 Agriculture. Land on the west is in use as a single family dwelling with two accessory storage buildings, and land on the east is in use as agriculture. The subject property is located in the only isolated area of AG-2 zoning in the county; between CR 1900E and one-quarter mile east of 2200E with 40 acres of I-2 zoning at the west end and approximately 20 acres of B-3 zoning at the east end.
 - B. Land to the north of the subject property is zoned AG-1 Agriculture and is in use as agriculture.
 - C. Land to the south of the subject property is zoned AG-1 Agriculture and is in use as agriculture.
8. There have been no zoning cases in the vicinity of the subject property.

*Same evidence as in related Zoning Case 672-S-10

GENERALLY REGARDING THE EXISTING AND PROPOSED ZONING DISTRICTS

9. Regarding the existing and proposed zoning districts:
- A. Regarding the general intent of zoning districts (capitalized words are defined in the Ordinance) as described in Section 5 of the Ordinance:
- (1) The AG-2, Agriculture DISTRICT is intended to prevent scattered indiscriminate urban development and to preserve the AGRICULTURAL nature within areas which are predominately vacant and which presently do not demonstrate any significant potential for development. This DISTRICT is intended generally for application to areas within one and one-half miles of existing communities in the COUNTY.
 - (2) The B-4, General Business DISTRICT is intended to accommodate a range of commercial USES and is intended for application only adjacent to the urbanized areas of the COUNTY.
- B. Regarding the general locations of the existing and proposed zoning districts:
- (1) The AG-2 District is generally a belt that surrounds the larger municipalities and villages. The subject property in this case is located in the only isolated AG-2 District in the county that is not co-located with a city or village and is surrounded by land zoned AG-1.
 - (2) There is no easy generalization to describe where the B-4 General Business Zoning District was originally established except to say that with a few large exceptions it does not occur very often outside of the fringe of urbanized areas. There has been a trend in recent years to change B-3 zoned areas to B-4.
- C. Regarding the different uses that are authorized in the existing and proposed zoning districts by Section 5.2 of the Ordinance:
- (1) There are 12 different types of uses authorized by right in the AG-2 District and there are 115 different types of uses authorized by right in the B-4 District:
 - (a) The following 6 uses are authorized by-right in both districts:
 - SUBDIVISION totaling three or fewer lots; and
 - AGRICULTURE, including customary ACCESSORY USES; and
 - Minor RURAL SPECIALTY BUSINESS; and
 - Plant Nursery; and
 - Christmas Tree Sales Lot; and
 - TEMPORARY USES
 - (b) The following 28 uses are authorized by-right in the B-4 District but may only be authorized by Special Use Permit in the AG-2 District:
 - HOTEL with no more than 15 LODGING UNITS; and
 - Major RURAL SPECIALTY BUSINESS; and
 - Commercial greenhouse; and
 - Greenhouse (not exceeding 1,000 sq.ft.); and

*Same evidence as in related Zoning Case 672-S-10

AS APPROVED

ITEM 9.C. (1)(B) (CONTINUED)

- Garden Shop; and
- Church, Temple or church related TEMPORARY USES on church PROPERTY; and
- Municipal or GOVERNMENT BUILDING; and
- Police station or fire station; and
- Library, museum or gallery; and
- Public park or recreational facility; and
- Radio or television station; and
- Telephone exchange; and
- MOTOR BUS Station; and
- Truck Terminal; and
- Roadside Produce Sales Stand; and
- Feed and Grain (sales only); and
- Artist Studio; and
- Antique Sales and Service; and
- Bait Sales; and
- Lodge or private club; and
- Outdoor commercial recreational enterprise (except amusement park); and
- Private Indoor Recreational Development; and
- Commercial Fishing Lake; and
- VETERINARY HOSPITAL; and
- Self-Storage Warehouses, not providing heat and utilities to individual units; and
- Contractors Facilities with Outdoor STORAGE and/or Outdoor OPERATIONS; and
- SMALL SCALE METAL FABRICATING SHOP

(c) There are 81 uses that are authorized by-right in the B-4 District but are not authorized by any means in the AG-2 District. They are summarized either by specific use or by types of uses, as follows:

- HOTEL with over 15 LODGING UNITS; and
- Institution of an Educational, Philanthropic, or Eleemosynary Nature; and
- PARKING GARAGE or LOT; and
- Telegraph Office; and
- Personal Service Types of Uses; and
- Farm Equipment Sales and Service; and
- Business, Private, Educational, and Financial Services Types of Uses; and
- Food Sales and Service Types of Uses; and
- AUTOMOBILE Sales and Service Types of Uses; and
- Retail Trade Types of Uses; and

*Same evidence as in related Zoning Case 672-S-10

ITEM 9.C. (1)(C) (CONTINUED)

- Billiard Room; and
 - Bowling Alley; and
 - Dancing academy or hall; and
 - Indoor THEATER; and
 - Wholesale Business; and
 - Warehouse; and
 - Self-storage Warehouses, providing heat and utilities to individual units;
 - Auction House (non-animal); and
 - OFF-PREMISES SIGN; and
 - SEXUALLY ORIENTED BUSINESS
- (2) There are 72 different types of uses authorized by Special Use Permit (SUP) in the AG-2 District and there are 10 different types of uses authorized by Special Use Permit in the B-4 District.
- (a) The following 6 uses may be authorized by SUP in both districts:
- Adaptive Reuse of GOVERNMENT BUILDINGS for any USE Permitted by Right; and
 - Private or commercial transmission and receiving towers (including antennas) over 100' in HEIGHT; and
 - Electrical Substation; and
 - HELIPORT-RESTRICTED LANDING AREA; and
 - Amusement Park; and
 - KENNEL
- (b) The following four uses may be authorized by SUP in the B-4 District but are not authorized by any means in the AG-2 District:
- HOSPITAL; and
 - Bakery (more than 2,500 SF); and
 - Recycling of non-hazardous materials (all storage and processing indoors) (Note: this is the proposed use in related Zoning Case 672-S-10); and
 - LIGHT ASSEMBLY

GENERALLY REGARDING WHETHER THE SUBJECT PROPERTY IS WITHIN A MUNICIPAL ETJ AREA

10. The subject property is not located within the one and one-half mile extraterritorial jurisdiction (ETJ) of a municipality with zoning.

*Same evidence as in related Zoning Case 672-S-10

GENERALLY REGARDING THE LRMP GOALS, OBJECTIVES, AND POLICIES

11. The *Champaign County Land Resource Management Plan* (LRMP) was adopted by the County Board on April 22, 2010. The LRMP Goals, Objectives, and Policies were drafted through an inclusive and public process that produced a set of ten goals, 42 objectives, and 100 policies, which are currently the only guidance for rezoning land under the *Champaign County Zoning Ordinance*, as follows:
 - A. The Purpose Statement of the LRMP Goals, Objectives, and Policies is as follows:

It is the purpose of this plan to encourage municipalities and the County to protect the land, air, water, natural resources and environment of the County and to encourage the use of such resources in a manner which is socially and economically desirable.
 - B. The LRMP defines Goals, Objectives, and Policies as follows:
 - (1) Goal: an ideal future condition to which the community aspires
 - (2) Objective: a tangible, measurable outcome leading to the achievement of a goal
 - (3) Policy: a statement of actions or requirements judged to be necessary to achieve goals and objectives
 - C. The Background given with the LRMP Goals, Objectives, and Policies further states, “Three documents, the *County Land Use Goals and Policies* adopted in 1977, and two sets of *Land Use Regulatory Policies*, dated 2001 and 2005, were built upon, updated, and consolidated into the LRMP Goals, Objectives and Policies.”
 - D. LRMP Objective 1.1 is entitled “Guidance on Land Resource Management Decisions”, and states, “Champaign County will consult the LRMP that formally establishes County land resource management policies and serves as an important source of guidance for the making of County land resource management decisions.”
 - E. Goal 1 of the LRMP is relevant to the review of the LRMP Goals, Objectives, and Policies in land use decisions (see Item 6.D. above), but is otherwise not relevant to the proposed rezoning. The Goals for Governmental Coordination (Goal 2), Prosperity (Goal 3), and Cultural Amenities (Goal 10) and their subsidiary Objectives and Policies also do not appear to be relevant to the proposed rezoning.

REGARDING LRMP GOAL 4 AGRICULTURE

12. LRMP Goal 4 is entitled “Agriculture” and is relevant to the proposed rezoning because the proposed rezoning includes land currently zoned AG-2 and proposed to be zoned B-4. Goal 4 states, “Champaign County will protect the long term viability of agriculture in Champaign County and its land resource base.”

*Same evidence as in related Zoning Case 672-S-10

ITEM 12. (CONTINUED)

The proposed rezoning **ACHIEVES** Goal 4 because of the following:

- A. Goal 4 includes nine subsidiary Objectives. Objectives 4.4, 4.5, 4.6, 4.7, 4.8, and 4.9 do not appear to be relevant to the proposed rezoning.
- B. Objective 4.1 is entitled “Agricultural Land Fragmentation and Conservation” and states, “Champaign County will strive to minimize the fragmentation of the County’s agricultural land base and conserve farmland, generally applying more stringent development standards on best prime farmland.”

The proposed rezoning **ACHIEVES** Objective 4.1 because of the following:

- (1) Objective 4.1 includes nine subsidiary policies. Policies 4.1.2, 4.1.4, 4.1.5, 4.1.7, 4.1.8, and 4.1.9 do not appear to be relevant to the proposed rezoning.
- (2) Policy 4.1.1 states, “Commercial agriculture is the highest and best use of land in the areas of Champaign County that are by virtue of topography, soil and drainage, suited to its pursuit. The County will not accommodate other land uses except under very restricted conditions or in areas of less productive soils.”

The proposed rezoning **CONFORMS** to Policy 4.1.1 because the subject property was only partially in production before the adoption of the Zoning Ordinance, and has not been in agricultural production since before 1988.

- (3) Policy 4.1.3 does not appear to be relevant to any specific rezoning.
- (4) Policy 4.1.6 is as follows:

Provided that the use, design, site and location are consistent with County policies regarding:

- i. Suitability of the site for the proposed use;
- ii. Adequacy of infrastructure and public services for the proposed use;
- iii. Minimizing conflict with agriculture;
- iv. Minimizing the conversion of farmland; and
- v. Minimizing the disturbance of natural areas; then
 - a) On best prime farmland, the County may authorize discretionary residential development subject to a limit on total acres converted which is generally proportionate to tract size and is based on the January 1, 1998 configuration of tracts, with the total amount of acreage converted to residential use (inclusive of by-right development) not to exceed three acres plus three acres per each 40 acres (including any existing right-of-way), but not to exceed 12 acres in total; or
 - b) On best prime farmland, the County may authorize non-residential discretionary development; or

*Same evidence as in related Zoning Case 672-S-10

AS APPROVED

ITEM 12.B.(4) (CONTINUED)

- c) The County may authorize discretionary review development on tracts consisting of other than best prime farmland.

The proposed rezoning **CONFORMS** to Policy 4.1.6 because of the following:

- (a) A letter was received on July 27, 2010, from Bruce Stickers, Resource Conservationist, Champaign County Soil and Water Conservation District that indicated no Natural Resource Report was necessary because the subject property had not been in agricultural production in over 20 years.
- (b) The soil on the subject property is best prime farmland overall and consists primarily of Drummer silty clay soil which has an LE score of 98.
- (c) The proposed use requires a Special Use Permit in the B-4 General Business District, which allows consideration of site suitability, adequacy of public infrastructure and public services, conflict with agriculture, conversion of farmland, and disturbance of natural areas as part of the criterion regarding, “injurious to public health, safety, and welfare.”
- (d) The subject property was only partially in production before the adoption of the Zoning Ordinance, and has not been in agricultural production at all since before 1988.

- C. Objective 4.2 is entitled “Development Conflicts with Agricultural Operations” and states, “Champaign County will require that each discretionary review development will not interfere with agricultural operations.”

The proposed rezoning **ACHIEVES** Objective 4.2 because of the following:

- (1) Policy 4.2.1 states, “The County may authorize a proposed business or other non-residential discretionary review development in a rural area if the proposed development supports agriculture or involves a product or service that is provided better in a rural area than in an urban area.”

The proposed rezoning **CONFORMS** to Policy 4.2.1 because of the following:

- (a) The proposed use is “recycling of non-hazardous waste materials (confidential paper shredding and recycling)” with all processing and storage of materials taking place indoors and is discussed in related zoning case 672-S-10.
- (b) The proposed development does not support agriculture.
- (c) The proposed use can operate from this rural location and can make very productive use of the subject property which has not been in agricultural production since before 1988 and was in a business use when the Zoning Ordinance was adopted on October 10, 1973.

*Same evidence as in related Zoning Case 672-S-10

ITEM 12.C.(1) (CONTINUED)

- (e) At the July 29, 2010, public hearing, co-petitioner Jim Finger testified as follows:
 - i. They have been searching for a new location for approximately five years and one of the biggest problems that they have incurred is finding a site that has access to a state highway, has three-phase electrical service and a loading dock.
 - ii. They would like to stay in the Rantoul area because Rantoul is where they were born and raised but they have not had any luck finding an appropriate location.
 - iii. They have looked at several other locations and they had even considered constructing a building on his residential property, which is one-half mile from the subject property, but installing three-phase electrical service was cost prohibitive.
 - iv. The appearance of the proposed buildings will be similar to a large pole barn.
- (f) At the July 29, 2010, public hearing, co-petitioner Lisa Feig testified as follows:
 - i. Security is one factor that must be highlighted and how it relates to the property and the business.
 - ii. The business's traffic will be low because they do not invite every individual that they do business with to come to the facility because everyone's confidentiality is held the same.
 - iii. Their roots grow very deep in the County and they have exhaustively attempted to find a location in Rantoul because they wanted to stay in Rantoul therefore an added attraction to this property is the fact that it has a Rantoul address.
 - iv. The properties that they looked at either did not have dock space, availability of three-phase electricity or a location where a semi-truck could safely maneuver.
 - v. There are other locations that other businesses could be perfectly fine at but for their business they needed a location that was appropriate for their traffic.
 - vi. Being in a rural area is perfect for their business.
 - vii. They are aware that people who live in rural communities look after each other and they look forward to that rural benefit.

*Same evidence as in related Zoning Case 672-S-10

AS APPROVED

ITEM 12.C.(1) (CONTINUED)

- (g) In a phone call with J.R. Knight, Associate Planner, on August 4, 2010, co-petitioner Lisa Feig indicated the following:
 - i. The petitioners discussed locating their business in the Rantoul Industrial Park, but the Village did not want to locate a business such as Triad Shredding on any available properties.
 - ii. The petitioners discussed locating their business on properties in the former Chanute Air Base, but those properties are not under the Village of Rantoul's jurisdiction yet.

(2) Policy 4.2.2 is, as follows:

The County may authorize discretionary review development in a rural area if the proposed development:

- a. Is a type that does not negatively affect agricultural activities; or
- b. Is located and designed to minimize exposure to any negative effect caused by agricultural activities; and
- c. Will not interfere with agricultural activities or damage or negatively affect the operation of agricultural drainage systems, rural roads, or other agriculture-related infrastructure.

The proposed rezoning **CONFORMS** to Policy 4.2.2 because of the following:

- (a) The proposed use will take place entirely indoors, and will not create a significant traffic impact on US 136.
- (b) The proposed use will not interfere with agricultural activities or negatively affect the operation of agricultural drainage systems, rural roads, or other agriculture-related infrastructure.
- (c) The proposed use will have minimal exposure to any negative effect caused by agricultural activities.

(3) Policy 4.2.3 states, "The County will require that proposed discretionary development explicitly recognize and provide for the right of agricultural activities to continue on adjacent land."

The proposed rezoning **CONFORMS** to Policy 4.2.3 because a special condition has been proposed to require any use established on the subject property to explicitly recognize and provide for the right of agricultural activities on adjacent land.

*Same evidence as in related Zoning Case 672-S-10

ITEM 12.C. (CONTINUED)

- (4) Policy 4.2.4 states, “To reduce the occurrence of agricultural land use and non-agricultural land use nuisance conflicts, the County will require that all discretionary review consider whether a buffer between existing agricultural operations and the proposed development is necessary.”

The proposed rezoning **CONFORMS** to Policy 4.2.4 because of the following:

- (a) The proposed use requires a Special Use Permit in the B-4 District, which will allow for consideration of any necessary buffering.
- (b) No buffering is necessary on the north side of the subject property because there is 100 feet of railroad right-of-way between the subject property and other properties.
- (c) The subject property is only 136 feet wide and no meaningful buffering can be required on such a narrow property other than the minimum 10 feet wide side yards that are ordinarily required in both the AG-2 District (the current zoning district) and the B-4 District (the proposed district).

- D. Objective 4.3 is entitled “Site Suitability for Discretionary Review Development” and states, “Champaign County will require that each discretionary review development is located on a suitable site.”

The proposed rezoning **ACHIEVES** Objective 4.3 because of the following:

- (1) Policy 4.3.1 does not appear to be relevant to the proposed rezoning.
- (2) Policy 4.3.2 states, “On best prime farmland, the County may authorize a discretionary review development provided the site with proposed improvements is well-suited overall for the proposed land use.

The proposed rezoning **CONFORMS** to Policy 4.3.2 because of the following:

- (a) The land is best prime farmland and consists primarily of Drummer silty clay soil that has a Land Evaluation score of 98.
- (b) The subject property fronts and has access to U.S. Route 136 which is a state highway.
- (c) The subject property is not served by sanitary sewer.
- (d) The existing building on the subject property was in business use when the Zoning Ordinance was adopted on October 10, 1973.
- (e) The subject property has not been in agricultural production since before 1988.

*Same evidence as in related Zoning Case 672-S-10

AS APPROVED

ITEM 12.D.(2) (CONTINUED)

- (f) The property has adequate area for reasonable business growth and maneuvering of semi trucks;
- (g) The property has triple phase electrical power which is required for the business;
- (h) The subject property is zoned AG-2 and is located in an area of AG-2 that is not located around a city or village. This isolated island of AG-2 is the only area like it in Champaign County because the subject property, and all other lots located in this area of AG-2 zoning, are located between US Route 136, a state highway, and an old railroad right-of-way.
- (i) The proposed use is “recycling of non-hazardous waste materials (confidential paper shredding and recycling)” with all processing and storage of materials taking place indoors and is discussed in related zoning case 672-S-10. Relevant considerations related to this use are the following:
 - i. This is an existing business that serves other businesses within a 100-mile radius and is therefore not dependent upon a single location so much as good transportation accessibility.
 - ii. The proposed use should not be considered urban development because there is no wastewater generated by the recycling process. There will also be very little need for potable water from the well.
 - iii. The buildings housing the proposed use will appear to be very similar to large farm buildings.
 - iv. The proposed use is proposed to have an enclosed dock area which should eliminate the possibility of blown litter into the adjacent farm fields.
 - v. The proposed hours of operation are 8 AM to 6 PM Monday through Friday.
- (3) Policy 4.3.3 states, “The County may authorize a discretionary review development provided that existing public services are adequate to support to the proposed development effectively and safely without undue public expense.”

The proposed rezoning **CONFORMS** to Policy 4.3.3 because of the following:

- (a) The subject property is located 2.8 miles from the Gifford Fire Protection District Station.

*Same evidence as in related Zoning Case 672-S-10

ITEM 12.D.(3) (CONTINUED)

(b) In a phone conversation with J.R. Knight, Associate Planner, on August 9, 2010, Chief Rich McFadden of the Gifford Fire Protection District indicated that the Triad Shredding property had been discussed at an officer’s meeting of the fire department and no issues or concerns were raised.

(4) Policy 4.3.4 states, “The County may authorize a discretionary review development provided that existing public infrastructure, together with proposed improvements, is adequate to support the proposed development effectively and safely without undue public expense.”

The proposed rezoning **CONFORMS** to Policy 4.3.4 because the subject property has access to US 136.

(5) Policy 4.3.5 is as follows:

On best prime farmland, the County will authorize a business or other non-residential use only if:

- a. It also serves surrounding agricultural uses or an important public need; and cannot be located in an urban area or on a less productive site; or
- b. the use is otherwise appropriate in a rural area and the site is very well suited to it.

The proposed rezoning **CONFORMS** to Policy 4.3.5 because of the following:

- (a) The proposed use is otherwise appropriate in a rural area based on the discussion of Policy 4.2.1 regarding whether the service is better provided in a rural area.
- (b) The subject property is very well suited based on the discussion of Policy 4.3.2.

REGARDING LRMP GOAL 5 URBAN LAND USE

13. LRMP Goal 5 is entitled “Urban Land Use” and is relevant to the proposed rezoning because the subject property is proposed to be rezoned B-4 General Business. Goal 5 states, “Champaign County will encourage urban development that is compact and contiguous to existing cities, villages, and existing unincorporated settlements.”

The proposed amendment **ACHIEVES** Goal 5 because of the following:

A. Objective 5.1 is entitled “Population Growth and Economic Development” and states “Champaign County will strive to ensure that the preponderance of population growth and economic development is accommodated by new urban development in or adjacent to existing population centers.”

The proposed rezoning **ACHIEVES** Objective 5.1 because of the following:

- (1) Objective 5.1 includes nine subsidiary policies. Policies 5.1.2, 5.1.3, 5.1.4, 5.1.7, 5.1.8, and 5.1.9 do not appear to be relevant to the proposed amendment.

*Same evidence as in related Zoning Case 672-S-10

AS APPROVED

ITEM 13.A. (CONTINUED)

- (2) Policy 5.1.1 is “The County will encourage new urban development to occur within the boundaries of incorporated municipalities.

The proposed rezoning **CONFORMS** to Policy 5.1.1 because of the following:

- (a) The subject property is not served by sanitary sewer.
- (b) The Appendix to Volume 2 of the LRMP defines “urban development” as the construction, extension, or establishment of a land use that requires or is best served by a connection to a public sanitary sewer system and “urban land use” as generally, land use that is connected and served by a public sanitary sewer system.
- (c) As explained in related Zoning Case 672-S-10 the proposed use is “recycling of non-hazardous waste materials (confidential paper shredding and recycling) with all processing and storage of materials taking place indoors. The shredding and recycling process uses no process water so there is no wastewater produced by the proposed recycling operations.
- (d) The proposed use is not urban development because the proposed use generates no process-related wastewater and could be very adequately served by an onsite septic system.
- (e) The B-4 District contains many uses that can be considered urban development as defined by the LRMP such as laundry and restaurant and any use which generates a substantial wastewater load.
- (f) A special condition has been proposed to limit uses on the subject property to uses that generate no more wastewater than the equivalent of a three bedroom dwelling as specified in the *Illinois Private Sewage Disposal Licensing Act and Code* (77 IAC 905). The *Act* specifies that the wastewater load of a three bedroom dwelling is 600 gallons per day. The subject property could be redeveloped with a three bedroom dwelling under the current AG-2 designation. The following is review of authorized uses in the B-4 District and indicate the size limit that would result from the limit of 600 gallons of wastewater per day:
- i. A restaurant without bar generates 10 gallons of wastewater per day per customer so a 600 gallon limit equates to only 60 customers which is probably too few customers to support a restaurant.
 - ii. A laundry generates 50 gallons of wastewater per day so a 600 gallon limit equates to only about 12 customers.
 - iii. An office generates 15 gallons of wastewater per day per employee so a 600 gallon limit equates to about 40 employees.

*Same evidence as in related Zoning Case 672-S-10

ITEM 13.A.(2) (CONTINUED)

(g) Co-Petitioner Jim Finger testified at the August 12, 2010, public hearing that the petitioners have looked at 54 properties in the past five years in the Rantoul vicinity and none were adequate or as well suited to the proposed use as the subject property.

- (3) Policy 5.1.5 states, “The County will encourage urban development to explicitly recognize and provide for the right of agricultural activities to continue on adjacent land.”

The proposed rezoning **CONFORMS** to Policy 5.1.5 because a special condition has been proposed to require any use established on the subject property to explicitly recognize and provide for the right of agricultural activities on adjacent land.

- (4) Policy 5.1.6 is, “To reduce the occurrence of agricultural land use and non-agricultural land use nuisance conflicts, the County will encourage and, when deemed necessary, will require discretionary development to create a sufficient buffer between existing agricultural operations and the proposed urban development.”

The proposed rezoning **CONFORMS** to Policy 5.1.2 based on the discussion of Policy 4.2.4.

- B. Objective 5.2 is entitled, “Natural Resources Stewardship” and states, “When new urban development is proposed, Champaign County will encourage that such development demonstrates good stewardship of natural resources.”

The proposed amendment **ACHIEVES** Objective 5.2 because of the following:

- (1) Policy 5.2.1 is, “The County will encourage the reuse and redevelopment of older and vacant properties within urban land when feasible.”

The proposed rezoning **CONFORMS** to Policy 5.2.1 because of the following:

- (a) The petitioners, Jim Finger and Lisa Feig, testified at the July 29, 2010, ZBA meeting that they had been searching for a suitable property in the Village of Rantoul for five years and had not found a suitable property.
- (b) The proposed use is not urban development based on the discussion of Policy 5.1.1.
- (c) In a phone call with J.R. Knight, Associate Planner, on August 4, 2010, co-petitioner Lisa Feig indicated the following:
- i. The petitioners discussed locating their business in the Rantoul Industrial Park, but the Village did not want to locate a business such as Triad Shredding on any available properties.

*Same evidence as in related Zoning Case 672-S-10

AS APPROVED

ITEM 13.B.(1)(C) (CONTINUED)

- ii. The petitioners discussed locating their business on properties in the former Chanute Air Base, but those properties are not under the Village of Rantoul's jurisdiction yet.

(2) Policy 5.2.2 is as follows:

The County will:

- a. ensure that urban development proposed on best prime farmland is efficiently designed in order to avoid unnecessary conversion of such farmland; and
- b. encourage, when possible, other jurisdictions to ensure that urban development proposed on best prime farmland is efficiently designed in order to avoid unnecessary conversion of such farmland.

The proposed rezoning **CONFORMS** to Policy 5.2.2 because of the following:

- (a) The existing building on the subject property was in business use when the Zoning Ordinance was adopted on October 10, 1973.
- (b) The subject property was only partially in production before the adoption of the Zoning Ordinance, and has not been in agricultural production since before 1988.
- (c) The subject property is not proposed to be increase in size and no additional best prime farmland is proposed to be taken out of production.

(3) Policy 5.2.3 is as follows:

The County will:

- a. require that proposed new urban development results in no more than minimal disturbance to areas with significant natural environmental quality; and
- b. encourage, when possible, other jurisdictions to require that proposed new urban development results in no more than minimal disturbance to areas with significant natural environmental quality.

The proposed rezoning **CONFORMS** to Policy 5.2.3 because of the following:

- (a) There are no areas with significant natural environmental quality on the subject property and there were none in when the Zoning Ordinance was adopted on October 10, 1973.

*Same evidence as in related Zoning Case 672-S-10

ITEM 13.B.(3) (CONTINUED)

- (b) An EcoCAT report from the Illinois Department of Natural Resources indicated there are no endangered species or Illinois Natural Areas Inventory (INAI) sites in the vicinity of the subject property.

- C. Objective 5.3 is entitled “Adequate Public Infrastructure and Services” and states, “Champaign County will oppose proposed new urban development unless adequate utilities, infrastructure, and public services are provided.”

The proposed amendment **ACHIEVES** Objective 5.3 because of the following:

- (1) Policy 5.3.1 is as follows:

The County will:

- a. require that proposed new urban development in unincorporated areas is sufficiently served by available public services and without undue public expense; and
- b. encourage, when possible, other jurisdictions to require that proposed new urban development is sufficiently served by available public services and without undue public expense.

The proposed rezoning **CONFORMS** to Policy 5.3.1 because the only public service provided other than law enforcement is fire protection. In a phone conversation with J.R. Knight, Associate Planner, on August 9, 2010, Chief Rich McFadden of the Gifford Fire Protection District indicated that the Triad Shredding property had been discussed at an officer’s meeting of the fire department and no issues or concerns were raised.

- (2) Policy 5.3.2 is as follows:

The County will:

- a. require that proposed new urban development, with proposed improvements, will be adequately served by public infrastructure, and that related needed improvements to public infrastructure are made without undue public expense; and
- b. encourage, when possible, other jurisdictions to require that proposed new urban development, with proposed improvements, will be adequately served by public infrastructure, and that related needed improvements to public infrastructure are made without undue public expense.

*Same evidence as in related Zoning Case 672-S-10

ITEM 13.C.(2) (CONTINUED)

The proposed rezoning **CONFORMS** to Policy 5.3.1 because the only public infrastructure serving the subject property is US 136 which is a state highway and the low traffic generated by the proposed use will have no impact on US 136.

- (3) Policy 5.3.3 does not appear to be relevant to the proposed rezoning.

REGARDING LRMP GOAL 6 PUBLIC HEALTH AND SAFETY

14. LRMP Goal 6 is entitled “Public Health and Public Safety” and is relevant to the proposed rezoning. Goal 6 states, “Champaign County will ensure protection of the public health and public safety in land resource management decisions.”

The proposed rezoning **ACHIEVES** Goal 6 because of the following:

- A. Goal 6 includes four subsidiary Objectives. Objectives 6.2, 6.3, and 6.4 do not appear to be relevant to the proposed rezoning.
- B. Objective 6.1 is entitled “Protect Public Health and Safety” and states, “Champaign County will seek to ensure that development in unincorporated areas of the County does not endanger public health or safety.”

The proposed rezoning **ACHIEVES** Objective 6.1 because of the following:

- (1) Policy 6.1.1 does not appear to be relevant to the proposed rezoning.
- (2) Policy 6.1.2 states, “The County will ensure that the proposed wastewater disposal and treatment systems of discretionary development will not endanger public health, create nuisance conditions for adjacent uses, or negatively impact surface or groundwater quality.”

The proposed rezoning **CONFORMS** to Policy 6.1.2 because of the following:

- (a) The County Health Department should be notified of any development, by-right or otherwise, on the subject property to ensure that a proper wastewater treatment system is in place before any construction occurs.
- (b) The proposed use is not of a type to require processing of large amounts of wastewater and a special condition has been proposed that will ensure that any business use generates no more wastewater than a typical home.
- (c) A special condition has been proposed which requires the Champaign County Public Health Department to approve any proposed or existing onsite wastewater disposal system.

*Same evidence as in related Zoning Case 672-S-10

ITEM 14.B. (CONTINUED)

- (3) Policy 6.1.3 states, “The County will seek to prevent nuisances created by light and glare and will endeavor to limit excessive night lighting, and to preserve clear views of the night sky throughout as much of the County as possible.”

The proposed rezoning **CONFORMS** to Policy 6.1.3 because of the following:

- (a) The proposed use requires a Special Use Permit in the B-4 General Business District, which requires that the use meet the standard condition for all Special Use Permits regarding outdoor lighting on the subject property.
- (b) Co-petitioner Jim Finger testified at the July 29, 2010, public meeting that the proposed use is always closed by 6 PM.
- (c) The Zoning Ordinance should probably be amended to require by-right uses to comply with policy 6.1.3.
- (4) By-right uses are required to comply with the County Nuisance Ordinance.
- (4) Policy 6.1.4 is not relevant to the proposed rezoning.

REGARDING LRMP GOAL 7 TRANSPORTATION

- 15. LRMP Goal 7 is entitled “Transportation” and is relevant to the proposed rezoning because the subject property accesses US 136. Goal 7 states, “Champaign County will coordinate land use decisions in the unincorporated area with the existing and planned transportation infrastructure and services.”

The proposed rezoning **ACHIEVES** Goal 7 because of the following:

- A. Goal 7 includes two subsidiary Objectives. Objective 7.2 does not appear to be relevant to the proposed rezoning.
- B. Objective 7.1 is entitled “Traffic Impact Analyses” and states, “Champaign County will consider traffic impact in all land use decisions and coordinate efforts with other agencies when warranted.”

The proposed rezoning **ACHIEVES** Objective 7.1 because of the following:

- (1) Policy 7.1.1 states, “The County will include traffic impact analyses in discretionary review development proposals with significant traffic generation.”

The proposed rezoning **CONFORMS** to Policy 7.1.1 because of the following:

- (a) The petitioners have testified that the proposed use will not generate a large amount of traffic.
- (b) The subject property is located on US 136, a state highway.

*Same evidence as in related Zoning Case 672-S-10

ITEM 15.B.(1) (CONTINUED)

- (c) A condition has been proposed to require the petitioners to meet any IDOT requirements regarding their driveway entrance to US 136.

REGARDING LRMP GOAL 8 NATURAL RESOURCES

- 16. LRMP Goal 8 is entitled, "Natural Resources" and is relevant to the proposed rezoning. Goal 8 states, "Champaign County will strive to conserve and enhance the County's landscape and natural resources and ensure their sustainable use."

The proposed rezoning **ACHIEVES** Goal 8 because of the following:

- A. Goal 8 includes nine subsidiary Objectives. Objectives 8.3, 8.7, 8.8, and 8.9 do not appear to be relevant to the proposed rezoning.
- B. Objective 8.1 states, "Champaign County will strive to ensure adequate and safe supplies of groundwater at reasonable cost for both human and ecological purposes."

The proposed rezoning **ACHIEVES** Objective 8.1 because of the following:

- (1) Objective 8.1 has nine subsidiary Policies. Policies 8.1.2, 8.1.3, 8.1.4, 8.1.5, 8.1.6, and 8.1.9 do not appear to be relevant to the proposed rezoning.
- (2) Policy 8.1.1 states, "The County will not approve discretionary development using on-site water wells unless it can be reasonably assured that an adequate supply of water for the proposed use is available without impairing the supply to any existing well user."

The proposed rezoning **CONFORMS** to Policy 8.1.1 because of the following:

- (a) The subject property is not located in the area of limited groundwater availability.
- (b) The proposed use in related Zoning Case 672-S-10 does not use a large amount of water.
- (c) A special condition has been proposed that will limit wastewater discharge on the subject property will also limit withdrawal of water on the subject property.
- (3) Policy 8.1.7 states, "The County will ensure that existing and new developments do not pollute the groundwater supply."

The proposed rezoning **CONFORMS** to Policy 8.1.7 because of the following:

- (a) A special condition has been proposed that will limit wastewater discharge on the subject property.
- (4) Policy 8.1.8 states, "The County will protect community well heads, distinct aquifer recharge areas and other critical areas from potential sources of groundwater pollution."

*Same evidence as in related Zoning Case 672-S-10

ITEM 16.B.(4) (CONTINUED)

The proposed rezoning **CONFORMS** to Policy 8.1.8 because there are no community well heads, distinct aquifer recharge areas, or other critical areas in the vicinity of the subject property.

- C. Objective 8.2 states, “Champaign County will strive to conserve its soil resources to provide the greatest benefit to current and future generations.”

The proposed rezoning **ACHIEVES** Objective 8.2 because of the following:

- (1) Objective 8.2 has one subsidiary Policy.
- (2) Policy 8.2.1 states, “The County will strive to minimize the destruction of its soil resources by non-agricultural development and will give special consideration to the protection of best prime farmland. Best prime farmland is that comprised of soils that have a Relative Value of at least 85 and includes land parcels with mixed soils that have a Land Evaluation score of 85 or greater as defined in the LESA.”

The proposed rezoning **CONFORMS** to Policy 8.2.1 because the subject property was only partially in agricultural production before 1972 and has not been in production since before 1988.

- D. Objective 8.4 states, “Champaign County will work to ensure that new development and ongoing land management practices maintain and improve surface water quality, contribute to stream channel stability, and minimize erosion and sedimentation.”

The proposed rezoning **ACHIEVES** Objective 8.4 because of the following:

- (1) Objective 8.4 has six subsidiary Policies. Policies 8.4.1, 8.4.3, 8.4.4, 8.4.5, and 8.4.6 do not appear to be relevant to the proposed rezoning.
- (2) Policy 8.4.2 states, “The County will require stormwater management designs and practices that provide effective site drainage, protect downstream drainage patterns, minimize impacts on adjacent properties and provide for stream flows that support healthy aquatic ecosystems.”

The proposed rezoning **CONFORMS** to Policy 8.1.1 because all construction on the subject property is required to conform to the Stormwater Management Policy.

- E. Objective 8.5 states, “Champaign County will encourage the maintenance and enhancement of aquatic and riparian habitats.”

The proposed rezoning **ACHIEVES** Objective 8.5 because of the following:

- (1) Objective 8.5 has five subsidiary Policies. Policies 8.5.1, 8.5.3, 8.5.4, and 8.5.5 do not appear to be relevant to the proposed rezoning.

*Same evidence as in related Zoning Case 672-S-10

AS APPROVED

ITEM 16.E. (CONTINUED)

- (2) Policy 8.5.2 states, “The County will require in its discretionary review that new development cause no more than minimal disturbance to the stream corridor environment.”

The proposed rezoning **CONFORMS** to Policy 8.5.2 because of the following:

- (a) An EcoCAT report from the Illinois Department of Natural Resources indicated there are no Illinois Natural Areas Inventory (INAI) sites in the vicinity of the subject property.
- (b) The proposed use will not affect the stream corridor, which is under the jurisdiction of the Dillsburg Special Drainage District.

- F. Objective 8.6 states, “Champaign County will encourage resource management which avoids loss or degradation of areas representative of the pre-settlement environment and other areas that provide habitat for native and game species.”

The proposed rezoning **ACHIEVES** Objective 8.6 because of the following:

- (1) Objective 8.6 has six subsidiary Policies. Policies 8.6.1, 8.6.5, and 8.6.6 do not appear to be relevant to the proposed rezoning.
- (2) Policy 8.6.2 is as follows:
- a. For new development, the County will require land use patterns, site design standards and land management practices to minimize the disturbance of existing areas that provide habitat for native and game species, or to mitigate the impacts of unavoidable disturbance to such areas.
- b. With regard to by-right development on good zoning lots, or the expansion thereof, the County will not require new zoning regulations to preserve or maintain existing onsite areas that provide habitat for native and game species, or new zoning regulations that require mitigation of impacts of disturbance to such onsite areas.

The proposed rezoning **CONFORMS** to Policy 8.6.2 because of the following:

- (a) An EcoCAT report from the Illinois Department of Natural Resources indicated there are no threatened or endangered species in the vicinity of the subject property.
- (b) An EcoCAT report from the Illinois Department of Natural Resources indicated there are no INAI sites in the vicinity of the subject property.

*Same evidence as in related Zoning Case 672-S-10

ITEM 16.F. (CONTINUED)

- (3) Policy 8.6.3 states, “For discretionary development, the County will use the Illinois Natural Areas Inventory and other scientific sources of information to identify priority areas for protection or which offer the potential for restoration, preservation, or enhancement.”

The proposed rezoning **CONFORMS** to Policy 8.6.3 because an EcoCAT report from the Illinois Department of Natural Resources indicated there are no INAI sites in the vicinity of the subject property.

- (4) Policy 8.6.4 states, “The County will require implementation of IDNR recommendations for discretionary development sites that contain endangered or threatened species, and will seek to ensure that recommended management practices are maintained on such sites.”

The proposed rezoning **CONFORMS** to Policy 8.6.4 because an EcoCAT report from the Illinois Department of Natural Resources indicated there are no endangered or threatened species in the vicinity of the subject property.

REGARDING LRMP GOAL 9

- 17. LRMP Goal 9 is entitled, “Energy Conservation” and is relevant to the proposed rezoning. Goal 9 states, “Champaign County will encourage energy conservation, efficiency, and the use of renewable energy sources.”

The proposed rezoning **ACHIEVES** Goal 9 because of the following:

- A. Goal 9 includes five subsidiary Objectives. Objectives 9.1, 9.2, 9.3, and 9.5 do not appear to be relevant to the proposed rezoning.
- B. Objective 9.4 states, “Champaign County will promote efficient resource use and re-use and recycling of potentially recyclable materials.”

The proposed rezoning **ACHIEVES** Objective 9.4 because the proposed “recycling of nonhazardous materials with all storage and processing of materials taking place indoors” that is requested in related Zoning Case 672-S-10 is a business that recycles potentially recyclable materials.

REGARDING LRMP GOAL 10

- 18. LRMP Goal 10 is entitled “Cultural Amenities” and does not appear to be relevant to the proposed rezoning.

*Same evidence as in related Zoning Case 672-S-10

REGARDING SPECIAL CONDITIONS OF APPROVAL

19. The ZBA reviewed a condition that would have required that if the Zoning Ordinance is amended to allow recycling of non- hazardous materials in the AG-2 District at similar locations, the zoning district designation of the subject property shall revert back to AG-2, but decided against recommending the condition for the following reasons:
- A. The evidence indicating that the subject property was very well suited not just for the proposed use but also for any business use that does not generate wastewater which requires a sanitary sewer, based on the following:
- (1) There was a business use on the subject property at the time of adoption of zoning;
 - (2) The property has access to U.S. 136 which is a state highway but does not generate a lot of traffic;
 - (3) Even though this is best prime farmland, agriculture has not occurred on the property since before 1988;
 - (4) The property has adequate area for reasonable business growth and maneuvering of semi trucks;
 - (5) The property has triple phase electrical power which is required for the business;
 - (6) The petitioners have looked for suitable property inside the Village of Rantoul for five years and have not found any suitable property inside the Village and this location will allow the business to retain a Rantoul address which is where the owners have lived their entire lives;
 - (7) The proposed use will have an enclosed loading dock to ensure confidentiality of all processes but which will help ensure no blowing litter into adjacent farmland;
 - (8) The proposed use uses no water for the recycling process and so a sewer is not necessary;
 - (9) A rural location like this is ideal for the proposed use which must have a secure location from which to conduct confidential paper shredding and recycling.
- B. The petitioner's concerns about future property value if in the long run the recycling business does not survive even though the property will have been improved and the value of the property with improvements will probably be greater with the B-4 designation (even considering the restriction on wastewater) than with AG-2 designation.
20. Regarding proposed special conditions of approval:
- A. Policies 4.2.3 and 5.1.5 require discretionary development and urban development to explicitly recognize and provide for the right of agricultural activities to continue on adjacent land. The following condition is intended to provide for that:

*Same evidence as in related Zoning Case 672-S-10

ITEM 20.A. (CONTINUED)

The owners of the subject property hereby recognize and provide for the right of agricultural activities to continue on adjacent land consistent with the Right to Farm Resolution 3425.

The above special condition is necessary to ensure the following:

Conformance with policies 4.2.3 and 5.1.5.

- B. Even if the proposed rezoning achieves both Goal 4 and Goal 5 and all other relevant goals, a blanket rezoning of this property to the B-4 General Business Zoning District would authorize a large number of uses by-right that may be inappropriate to the rural setting of the subject property and to using an onsite wastewater disposal system.

Business use of the entire property shall not generate more wastewater than the equivalent of a three bedroom dwelling as specified in the *Illinois Private Sewage Disposal Licensing Code*.

The above stated special condition is necessary to ensure the following:

No use that is otherwise allowed in the B-4 General Business Zoning District, but is not appropriate in a rural setting or best served by public sanitary sewer, is established on the subject property.

- C. Coordinating discretionary development with the Champaign County Public Health Department is a necessary process that has not been consistent in past cases. The following condition makes it clear that any use established on the subject property must coordinate installation of a new onsite wastewater disposal system or use of an existing system with the Public Health Department.

The Zoning Administrator shall not approve a Zoning Use Permit on the subject property without a letter from the Champaign County Health Department certifying as follows:

- (1) **The proposed use will not generate more wastewater than a three bedroom dwelling; and**
- (2) **In the case that a new onsite wastewater disposal system is installed, the owner has consulted with the County Health Department and has identified the most appropriate location on the property for a wastewater treatment and disposal system and said location will be fenced and protected during other construction activities.**
- (3) **In the case that an existing wastewater treatment and disposal system is used, the owner has consulted with the County Health Department and has determined whether the existing system is adequate for the proposed use of the property,**

*Same evidence as in related Zoning Case 672-S-10

ITEM 20.C.(3) (CONTINUED)

identified the location of the existing system, and that said location will be fenced and protected during construction activities.

The above stated special condition is necessary to ensure the following:

The use of an existing onsite wastewater treatment and disposal system or the installation of a new system complies with all relevant and necessary requirements enforced by the Champaign County Public Health Department.

- D. The Champaign County Public Health Department recommends that floor drains should not be connected to onsite wastewater treatment and disposal systems because those systems are not typically designed to accommodate the types of materials that wash down floor drains. The following condition allows the Zoning Administrator to review if any proposed building on the subject property will have floor drains.

The Zoning Administrator shall not approve any Zoning Use Permit on the subject property unless the Zoning Use Permit Application includes floor plans for all buildings that explicitly indicate whether floor drains will be provided.

The above stated special condition is necessary to ensure the following:

The Zoning Administrator is able to review building plans for floor drains and ensure that proper procedures are followed in their installation.

- E. The Zoning Ordinance does not include any general requirements for code compliance. However, there are two circumstances which require certification of code compliance. If floor drains are installed in any proposed building, they should be certified as complying with the Illinois Plumbing Code, and if a proposed building is completed after July 1, 2011, 20 ILCS 3105/10.09-1 requires that such construction will comply with the 2006 edition of the International Building Code.

The Zoning Administrator shall not approve a Zoning Compliance Certificate without the following documentation:

- (a) **Any floor drain must have been approved by the Illinois Plumbing Code Inspector.**
- (b) **If the Certificate is approved after July 1, 2011, there must be a certification that the building complies with the 2006 edition of the International Building Code as required by 20 ILCS 3105/10.09-1.**

- F. The subject property fronts a State Highway. IDOT should approve the existing driveway or determine if any improvements need to be made to the existing driveway. The Zoning Ordinance does not require approval of driveway access to a state highway. The following conditions will ensure that the driveway access is approved by IDOT:

*Same evidence as in related Zoning Case 672-S-10

ITEM 20.F. (CONTINUED)

- (1) **The petitioners shall provide IDOT with all information necessary to either approve the existing driveway for the proposed use or to determine what improvements are necessary to meet IDOT standards.**
- (2) **The Zoning Administrator shall not approve a Zoning Use Permit for the subject property without documentation of IDOT's approval of either the existing driveway entrance or the existing driveway with necessary improvements.**
- (3) **The Zoning Administrator shall not issue a Zoning Compliance Certificate without documentation of IDOT's approval of any newly constructed driveway entrance including any necessary as-built engineering drawings.**

The special conditions stated above are required to ensure the following:

All traffic related to the proposed use can safely enter and exit the subject property with adequate visibility and regardless of weather conditions.

*Same evidence as in related Zoning Case 672-S-10

DOCUMENTS OF RECORD

1. Application for rezoning submitted by James Finger and Lisa Feig on June 21, 2010, with attachments:
 - A Letter from James Finger and Lisa Feig
 - B Triad Shredding List of References
 - C Petitioner photographs of subject property
 - D Letter from Sue Campbell, Rantoul Area Chamber of Commerce, dated June 17, 2010
 - E Letter from Gary Hardin, dated May 27, 2010
 - F Letter from Darrell Brandt, dated June 8, 2010
 - G Letter from Martin Alblinger, Economic Development Officer, Village of Rantoul, dated June 11, 2010

2. Preliminary Memorandum for Case 671-AM-10, dated July 23, 2010, with attachments:
 - A Case Maps for Cases 671-AM-10 & 672-S-10 (Location, Land Use, Zoning)
 - B Site Plan for subject property
 - C Letter from James Finger and Lisa Feig
 - D Triad Shredding List of References
 - E Letter from Sue Campbell, Rantoul Area Chamber of Commerce, dated June 17, 2010
 - F Letter from Gary Hardin, dated May 27, 2010
 - G Letter from Darrell Brandt, dated June 8, 2010
 - H Letter from Martin Alblinger, Economic Development Officer, Village of Rantoul, dated June 11, 2010
 - I 1972 Supervisor of Assessments aerial photograph of subject property
 - J 1988 Supervisor of Assessments aerial photograph of subject property
 - K 2008 GIS Consortium aerial photograph of subject property
 - L Excerpt from FEMA Flood Insurance Rate Map Community Panel No. 170894 0075 B
 - M IDOT Map showing Average Annual Daily Traffic
 - N Preliminary Draft Finding of Fact for Case 671-AM-10
 - O Petitioner photographs of subject property (included separately)

3. Supplemental Memorandum for Cases 671-AM-10 & 672-S-10, dated July 29, 2010, with attachments:
 - A Case Maps for Cases 671-AM-10 & 672-S-10 (Location, Land Use, Zoning)
 - B Section 905. Appendix A of the *Illinois Private Sewage Disposal Licensing Act and Code* (77 IAC 905)
 - C Appendix Defined Terms from the Champaign County Land Resource Management Plan
 - D Letter from Bruce Stickers, CC Soil & Water Conservation District, received on July 27, 2010

4. Figure 12-6 Existing Generalized Zoning-2003 from the Champaign County Land Resource Management Plan adopted April 22, 2010

5. Supplemental Memorandum for Cases 671-AM-10 & 672-S-10, dated August 6, 2010 with attachments:
 - A Champaign County Resolution 3425 Right To Farm Resolution
 - B Revised Draft Finding of Fact for Case 471-AM-10

*Same evidence as in related Zoning Case 672-S-10

DOCUMENTS OF RECORD (CONTINUED)

- C Revised Draft Summary of Evidence for Case 472-S-10
- 6. Supplemental Memorandum for Cases 671-AM-10 and 672-S-10, dated August 12, 2010, with attachment:
 - A EcoCat Report for subject property, obtained on August 9, 2010
- 7. Revised Item #9.E. in Case 672-S-10, handout distributed at the August 12, 2010, public hearing
- 8. Special Use Permit Application from Jim Finger and Lisa M. Feig received on June 21, 2010, with attachments:
 - A Site plan for subject property
 - B Letter from James Finger and Lisa Feig
 - C Triad Shredding List of References
 - D Petitioner photographs of subject property
 - E Letter from Sue Campbell, Rantoul Area Chamber of Commerce, dated June 17, 2010
 - F Letter from Gary Hardin, dated May 27, 2010
 - G Letter from Darrell Brandt, dated June 8, 2010
 - H Letter from Martin Alblinger, Economic Development Officer, Village of Rantoul, dated June 11, 2010
- 9. Preliminary Memorandum for Case 672-S-10, with attachments:
 - A Preliminary Draft Summary of Evidence for Case 672-S-10
- 10. Supplemental Memorandum for Case Numbers 671-AM-10 & 672-S-10, dated July 29, 2010, with attachments:
 - A Case Maps for Cases 671-AM-10 & 672-S-10 (Location, Land Use, Zoning
 - B Section 905. Appendix A of the *Illinois Private Sewage Disposal Licensing Act and Code* (77 IAC 905)
 - C Appendix Defined Terms from the Champaign County Land Resource Management Plan
 - D Letter from Bruce Stickers, CC Soil & Water Conservation District, received on July 27, 2010

*Same evidence as in related Zoning Case 672-S-10

FINAL DETERMINATION

Pursuant to the authority granted by Section 9.2 of the Champaign County Zoning Ordinance, the Zoning Board of Appeals of Champaign County determines that:

The rezoning requested in Case 671-AM-10 should **BE ENACTED** by the County Board in the form attached hereto.

SUBJECT TO THE FOLLOWING SPECIAL CONDITIONS:

- A. The owners of the subject property hereby recognize and provide for the right of agricultural activities to continue on adjacent land consistent with the Right to Farm Resolution 3425.
- B. Business use of the entire property shall not generate more wastewater than the equivalent of a three bedroom dwelling as specified in the *Illinois Private Sewage Disposal Licensing Code*.
- C. The Zoning Administrator shall not approve a Zoning Use Permit on the subject property without a letter from the Champaign County Health Department certifying as follows:
 - (1) The proposed use will not generate more wastewater than a three bedroom dwelling; and
 - (2) In the case that a new onsite wastewater disposal system is installed, the owner has consulted with the County Health Department and has identified the most appropriate location on the property for a wastewater treatment and disposal system and said location will be fenced and protected during other construction activities.
 - (3) In the case that an existing wastewater treatment and disposal system is used, the owner has consulted with the County Health Department and has determined whether the existing system is adequate for the proposed use of the property, identified the location of the existing system, and that said location will be fenced and protected during construction activities.
- D. The Zoning Administrator shall not approve any Zoning Use Permit on the subject property unless the Zoning Use Permit Application includes floor plans for all buildings that explicitly indicate whether floor drains will be provided.
- E. The Zoning Administrator shall not approve a Zoning Compliance Certificate without the following documentation:
 - (1) Any floor drain must have been approved by the Illinois Plumbing Code Inspector.
 - (2) If the Certificate is approved after July 1, 2011, there must be a certification that the building complies with the 2006 edition of the International Building Code as required by 20 ILCS 3105/10.09-1.

*Same evidence as in related Zoning Case 672-S-10

- F. (1) **The petitioners shall provide IDOT with all information necessary to either approve the existing driveway for the proposed use or to determine what improvements are necessary to meet IDOT standards.**
- (2) **The Zoning Administrator shall not approve a Zoning Use Permit for the subject property without documentation of IDOT's approval of either the existing driveway entrance or the existing driveway with necessary improvements.**
- (3) **The Zoning Administrator shall not issue a Zoning Compliance Certificate without documentation of IDOT's approval of any newly constructed driveway entrance including any necessary as-built engineering drawings.**

The foregoing is an accurate and complete record of the Findings and Determination of the Zoning Board of Appeals of Champaign County.

SIGNED:

Doug Bluhm, Chair
Champaign County Zoning Board of Appeals

ATTEST:

Secretary to the Zoning Board of Appeals

Date

*Same evidence as in related Zoning Case 672-S-10

Champaign
County
Department of

**PLANNING &
ZONING**

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

(217) 384-3708

TO: **Champaign County Board Committee of the Whole**
FROM: **John Hall, Director & Zoning Administrator**
DATE: **August 27, 2010**
RE: **Draft Habitability Ordinance**

FOR RECOMMENDATION TO THE FULL BOARD

The County Board deferred this item and sent it back to the Committee at the August 19, 2010, Board meeting.

Board members Barbara Wysocki, Alan Nudo, and Stan James met with the County Administrator, State's Attorney, and the Zoning Administrator on August 24, 2010, and resolved all outstanding issues with the Habitability Ordinance.

The attached Ordinance is ready for a recommendation to the full Board.

BACKGROUND

The County Board considered this item at the August 19, 2010, meeting. There were unresolved questions about enforcement provisions at the meeting and this item was sent back to the Committee. At the time it was agreed that interested Board members would have an Ordinance for review by the Committee of the Whole at the September meeting.

On August 24, 2010, Board members Barbara Wysocki, Alan Nudo, and Stan James met with the County Administrator, Susan McGrath of the State's Attorney Office, and the Zoning Administrator. At that meeting the group reviewed the Residential Tenants' Right to Repair Act (765 ILCS 742 et seq) and compared the Habitability Ordinance and the amended Nuisance Ordinance. All outstanding issues were resolved and agreement was reached on the following items:

- **The Habitability Ordinance is as "strong" as it can be.** The Habitability Ordinance is only intended to support tenants' claims under the Residential Tenants' Right to Repair Act (765 ILCS 742 et seq; see attached) and that Act provides no enforcement authority for the County.
- **The County has very strong enforcement powers under the Nuisance Ordinance and the August amendment added important life safety enforcement provisions.** State law very much limits what the County can enforce under the Nuisance Ordinance. The amended Nuisance Ordinance that was adopted in August added significant new provisions to protect the public. Even though the amended Nuisance Ordinance is a very important advance in ensuring life safety it is not the same as adopting a Building Code and a Property Maintenance Code

DRAFT HABITABILITY ORDINANCE

The Draft Habitability Ordinance is included as Attachment B. The Draft Ordinance is unchanged from the August County Board meeting.

ATTACHMENTS

- A **Residential Tenants' Right to Repair Act**
- B **Draft Habitability Ordinance (unchanged from August 19, 2010)**

Illinois Compiled Statutes

Information maintained by the Legislative Reference Bureau

Updating the database of the Illinois Compiled Statutes (ILCS) is an ongoing process. Recent laws may not yet be included in the ILCS database, but they are found on this site as [Public Acts](#) soon after they become law. For information concerning the relationship between statutes and Public Acts, refer to the [Guide](#).

Because the statute database is maintained primarily for legislative drafting purposes, statutory changes are sometimes included in the statute database before they take effect. If the source note at the end of a Section of the statutes includes a Public Act that has not yet taken effect, the version of the law that is currently in effect may have already been removed from the database and you should refer to that Public Act to see the changes made to the current law.

PROPERTY

(765 ILCS 742/) Residential Tenants' Right to Repair Act.

(765 ILCS 742/1)

Sec. 1. Short title. This Act may be cited as the Residential Tenants' Right to Repair Act.

(Source: P.A. 93-891, eff. 1-1-05.)

(765 ILCS 742/5)

Sec. 5. Repair; deduction from rent. If a repair is required under a residential lease agreement or required under a law, administrative rule, or local ordinance or regulation, and the reasonable cost of the repair does not exceed the lesser of \$500 or one-half of the monthly rent, the tenant may notify the landlord in writing by registered or certified mail or other restricted delivery service to the address of the landlord or an agent of the landlord as indicated on the lease agreement; if an address is not listed, the tenant may send notice to the landlord's last known address of the tenant's intention to have the repair made at the landlord's expense. If the landlord fails to make the repair within 14 days after being notified by the tenant as provided above or more promptly as conditions require in the case of an emergency, the tenant may have the repair made in a workmanlike manner and in compliance with the appropriate law, administrative rule, or local ordinance or regulation. Emergencies include conditions that will cause irreparable harm to the apartment or any fixture attached to the apartment if not immediately repaired or any condition that poses an immediate threat to the health or safety of any occupant of the dwelling or any common area. After submitting to the landlord a paid bill from an appropriate tradesman or supplier unrelated to the tenant, the tenant may deduct from his or her rent the amount of the bill, not to exceed the limits specified by this Section and not to exceed the reasonable price then customarily charged for the repair. If not clearly indicated on the bill submitted by the tenant, the tenant shall also provide to the landlord in writing, at the time of the submission of the bill, the name, address, and telephone number for the tradesman or supplier that provided the repair services. A tenant may not repair at the landlord's expense if the condition was caused

by the deliberate or negligent act or omission of the tenant, a member of the tenant's family, or another person on the premises with the tenant's consent.

(Source: P.A. 93-891, eff. 1-1-05.)

(765 ILCS 742/10)

Sec. 10. Exceptions.

(a) This Act does not apply to public housing as defined in Section 3(b) of the United States Housing Act of 1937, as amended from time to time, and any successor Act.

(b) This Act does not apply to condominiums.

(c) This Act does not apply to not-for-profit corporations organized for the purpose of residential cooperative housing.

(d) This Act does not apply to tenancies other than residential tenancies.

(e) This Act does not apply to owner-occupied rental property containing 6 or fewer dwelling units.

(f) This Act does not apply to any dwelling unit that is subject to the Mobile Home Landlord and Tenant Rights Act.

(Source: P.A. 93-891, eff. 1-1-05.)

(765 ILCS 742/15)

Sec. 15. Tenant liabilities and responsibilities. The tenant is responsible for ensuring that:

(1) the repairs are performed in a workmanlike manner in compliance with the appropriate law, administrative rule, or local ordinance or regulation;

(2) the tradesman or supplier that is hired by the tenant to perform the repairs holds the appropriate valid license or certificate required by State or municipal law to make the repair; and

(3) the tradesman or supplier is adequately insured to cover any bodily harm or property damage that is caused by the negligence or substandard performance of the repairs by the tradesman or supplier.

The tenant is responsible for any damages to the premises caused by a tradesman or supplier hired by the tenant. A tenant shall not be entitled to exercise the remedies provided for in this Act if the tenant does not comply with the requirements of this Section.

(Source: P.A. 93-891, eff. 1-1-05.)

(765 ILCS 742/20)

Sec. 20. Defense to eviction. A tenant may not assert as a defense to an action for rent or eviction that rent was withheld under this Act unless the tenant meets all the requirements provided for in this Act.

(Source: P.A. 93-891, eff. 1-1-05.)

(765 ILCS 742/25)

Sec. 25. Mechanics lien laws. For purposes of mechanics lien laws, repairs performed or materials furnished pursuant to this Act shall not be construed as having been performed or furnished pursuant to authority of or with permission of the landlord.

(Source: P.A. 93-891, eff. 1-1-05.)

(765 ILCS 742/30)

Sec. 30. Home rule. A home rule unit may not regulate residential lease agreements in a manner that diminishes the rights of tenants under this Act. This Section is a limitation under subsection (i) of Section 6 of Article VII of the Illinois Constitution on the concurrent exercise by home rule units of powers and functions exercised by the State.

(Source: P.A. 93-891, eff. 1-1-05.)

Top

Attachment B. Draft Rental Habitability Ordinance of Champaign County, Illinois
AUGUST 27, 2010

1. Title. This ordinance shall be known as the “Rental Habitability Ordinance of Champaign County, Illinois”.
2. Purpose. The provisions of this ordinance shall apply to all residential rental properties and shall constitute the minimum maintenance requirements necessary to ensure adequate habitability of residential rental buildings except for any additional relevant requirements in the Champaign County Nuisance Ordinance.
3. Applicability. The provisions of this ordinance shall not apply to any of the requirements for residential rental property maintenance that are included herein that are identified as the **responsibility of the tenant** in a written lease except requirement 7.I. that is non-transferable by lease.
4. Enforcement. The minimum maintenance requirements for habitability established by this ordinance are not enforced by Champaign County but are specifically intended to be relevant to tenant claims under the Residential Tenants’ Right to Repair Act (765 ILCS 742 et seq) and to further the authority granted by 55 ILCS 5/5-1063 related to building maintenance.
5. Standard of maintenance quality. Repairs, maintenance work, alterations or installations required by this ordinance shall be performed in a reasonable manner and in compliance with any relevant manufacturer’s requirements.
6. Definitions.

HABITABLE is any space for human occupation and use such as vestibules, hallways, stairways, corridors, living rooms, bedrooms, kitchens, pantries, bathrooms, closets, and storage spaces.

RENTAL UNIT is any dwelling unit, rooming unit, dormitory room, guestroom, or portion of a building that is that is rented, leased, or let.

OWNER is an individual, firm, association, syndicate, partnership, corporation, company, organization, trust, or any other legal entity having a proprietary interest in a building, property, lot, or tract of land.

ROOM is any interior HABITABLE space that is larger than 70 square feet and with a minimum horizontal dimension of eight feet.

TENANT is the person or persons that occupy a RENTAL UNIT.

7. Minimum maintenance requirements for habitability. The OWNER of any RENTAL UNIT is hereby required to maintain the premises and to promptly perform all needed repairs to any building containing a RENTAL UNIT and to each RENTAL UNIT including but not limited to repairs, maintenance, and services of the following types:

Attachment B. Draft Rental Habitability Ordinance of Champaign County, Illinois
AUGUST 27, 2010

- A. Building exterior. The building exterior shall be maintained in a structurally sound and weatherproof condition and free from holes, or defects that allow rain or weather to enter.
- B. Exterior and interior stairs. All stairways shall meet the minimum egress requirements of the Illinois State Fire Marshal's Life Safety Code and be structurally sound and maintained in good repair.
- C. Doors. All exterior doors, door assemblies, and hardware shall be maintained in good condition. Locks at all entrances to any RENTAL UNIT shall tightly secure the door.
- D. Deadbolt locks. Doors providing access to any RENTAL UNIT shall be equipped with a deadbolt lock. Deadbolt locks shall have a minimum lock throw of at least 1-inch. A sliding bolt shall not be considered an acceptable deadbolt lock. Deadbolt locks shall be properly installed according to manufacturer's specifications and maintained in good working condition. All required deadbolt locks shall be designed and installed in such a manner so as to be operable from inside of the RENTAL UNIT by only a knob.
- E. Building interior.
 - (1) All HABITABLE interior areas shall be maintained in good repair, structurally sound and in a sanitary condition.
 - (2) All interior surfaces, including windows and doors, shall be maintained in good repair and sanitary condition.
 - (3) Paint that is peeling, chipping, flaking, or abraded shall be repaired.
 - (4) Cracked or loose surfaces shall be repaired.
- F. Windows and skylights. Windows and skylights shall be maintained in good repair, and shall be structurally sound and weather tight.
 - (1) Glazing. All glazing materials shall be maintained free from cracks and holes.
 - (2) Openable windows. Windows that are not fixed windows shall be easily openable and with hardware capable of holding the window in an open position.
 - (3) Insect screens. Between May 14 to September 15 of every year each openable window in each HABITABLE room shall be provided a tightly fitting screen of not less 16 mesh per inch.

Attachment B. Draft Rental Habitability Ordinance of Champaign County, Illinois
AUGUST 27, 2010

- G. Garbage facilities and service.
- (1) Every occupied RENTAL UNIT shall be provided covered outdoor garbage containers for use by the tenant however multiple tenants may be provided with a single covered container provided it is of adequate size.
 - (2) Every occupied RENTAL UNIT shall be provided with regular and timely removal (pickup) of normal daily household waste.
- H. Plumbing and plumbing fixtures.
- (1) All plumbing shall meet the requirements of the Illinois Plumbing Code.
 - (2) Plumbing fixtures including hot water heaters shall be properly installed and maintained in good working condition, and shall be kept free from obstructions, leaks, and defects.
- I. Heating. Each RENTAL UNIT shall be supplied with heat during the period from September 15 to May 15 of every year and sufficient to maintain a temperature of not less than 65° in all habitable rooms. This requirement shall be non-transferable by lease.
- J. Appliances. All mechanical appliances, fireplaces, solid fuel-burning appliances, cooking appliances (including refrigerator), and water heating appliances shall be properly installed and maintained in a good working condition and all necessary services (gas, electrical, etc.) required for operation shall be provided and in good working order.
- K. Electrical system and equipment.
- (1) Each RENTAL UNIT shall be provided with an electrical system including electrical equipment, wiring, and appliances that shall be properly installed and maintained in a safe working condition.
 - (2) Each occupied RENTAL UNIT shall be provided with a working electrical service.
 - (3) Electrical outlets. Each habitable space shall be served by at least two separate and remote receptacle outlets except only one outlet shall be required per bathroom.
- L. Each building containing a RENTAL UNIT and each RENTAL UNIT shall be provided with smoke and carbon monoxide detectors as required by the Illinois State Fire Marshal's Life Safety Code.
- M. Each RENTAL UNIT shall be provided with a mailbox meeting the requirements of the U.S. Postal Service.

Attachment B. Draft Rental Habitability Ordinance of Champaign County, Illinois
AUGUST 27, 2010

8. Severability, Publication, and Effective Date.
 - A. Severability. Should any part of this ordinance be declared invalid by a court of competent jurisdiction, such declaration shall not affect the validity of the remaining portions of this ordinance.
 - B. Publication. Within 15 days of the adoption of this ordinance the County Clerk shall cause notice to be published in a newspaper of general circulation within the County stating that this ordinance has been adopted including the effective date of the ordinance and the availability of copies in the office of the Zoning Administrator.
 - C. Effective Date. This ordinance shall be in full force and effect ten days after the date of the publication.



PLANNING & COMMUNITY DEVELOPMENT

1776 East Washington Street
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www.ccrpc.org

TO: Environmental & Land Use Committee Members
FROM: Rita Morocoima-Black, CCRPC/CUUATS Transportation Planning Manager
DATE: September 27, 2010
RE: Rural Public Transportation
REQUESTED ACTION: Approve Selected Required Documents

BACKGROUND:

On April 22, 2010 the Champaign County Board passed a resolution selecting CRIS Rural Mass Transit District (CRIS) as the rural public transportation provider for Champaign County. Since that time CRIS has been working with the Illinois Department of Transportation – Division of Public and Intermodal Transportation (IDOT-DPIT) to finalize the grant contract. In order to complete this, the following documents need to be authorized by the Champaign County Board:

1. Board Resolution authorizing application for Public Transportation Financial Assistance
2. Acceptance of Special Warranty for Application to the Small Urban and Rural Program
3. IDOT and FTA Assistance Programs Joint Certifications and Assurances for Grantees
4. Ordinance to Provide Public Transportation
5. Intergovernmental Agreement between CRIS Rural Mass Transit District and Champaign County
6. Bylaws of the Champaign County Rural Transit Advisory Group

We are soliciting the Environmental and Land Use Committee (ELUC) to approve these documents, in order for CRIS to begin rural public transportation service in Champaign County.

Board Resolution

Number _____

Resolution authorizing application for Public Transportation Financial Assistance under Section 5311 of the Federal Transit Act of 1991, as amended (49 U.S.C. § 5311).

WHEREAS, the provision of public transit service is essential to the transportation of persons in the non-urbanized area; and

WHEREAS, Section 5311 of the Federal Transit Act of 1991, as amended (49 U.S.C. § 5311), makes funds available to help offset certain operating deficits and administrative expenses of a system providing public transit service in non-urbanized areas; and

WHEREAS, grants for said funds will impose certain obligations upon the recipient, including the provision by it of the local share of funds necessary to cover costs not covered by funds provided under Section 5311 of the Federal Transit Act of 1991, as amended (49 U.S.C. § 5311).

NOW, THEREFORE, BE IT RESOLVED BY THE GOVERNING BOARD OF *Champaign County*:

Section 1. That an application be made to the Division of Public Transportation, Department of Transportation, State of Illinois, for a financial assistance grant under Section 5311 of the Federal Transit Act of 1991, as amended (49 U.S.C. § 5311), for the purpose of off-setting a portion of the Public Transportation Program operating deficits of *Champaign County*; as well as with the State of Illinois in order to obtain grant assistance under the provisions of the Illinois Downstate Public Transportation Act (30 ILCS 740/2-1, et.seq.).

Section 2. That while participating in said operating assistance program, *Champaign County* will provide all required local matching funds.

Section 3. That the *CEO* of CRIS Rural Mass Transit District is hereby authorized and directed to execute and file on behalf of *Champaign County* such application.

Section 4. That the *CEO* of CRIS Rural Mass Transit District is authorized to furnish such additional information as may be required by the Division of Public Transportation and the Federal Transit Administration in connection with the aforesaid application for said grant.

Section 5. That the *CEO* of CRIS Rural Mass Transit District is hereby authorized and directed to execute and file on behalf of *Champaign County* all required Grant Agreements with the Illinois Department of Transportation, in order to obtain grant assistance under the provisions of the Section 5311 of the Federal Transit Act of 1991, as amended (49 U.S.C. § 5311) and with the State of Illinois in order to obtain grant assistance under the provisions of the Illinois Downstate Public Transportation Act (30 ILCS 740/2-1, et.seq.).

Section 6. That the *CEO* of CRIS Rural Mass Transit District is hereby authorized to provide such information and to file such documents as may be required to perform the Grant Agreement and to receive the grant.

PRESENTED and ADOPTED this _____ day of _____, 20____

(Signature of Authorized Official)

(Attest)

(Title)

(Date)

Acceptance of the Special Warranty

WHEREAS, Section 5311 of the Federal Transit Act of 1964, as amended, makes funds available to help offset certain operating deficits of a system providing public transit service in non-urbanized areas; and

WHEREAS, 49 U.S.C. § 5333(b) requires that fair and equitable arrangements must be made to protect the interests of employees affected by such assistance as a condition of receipt of funds under Section 5311; and

WHEREAS a simplified process for assuring employee protections that accommodates the needs of participants in the Section 5311 program has been agreed upon by the U.S. Department of Labor and the U.S. Department of Transportation by allowing execution of a Special Section 5333(b) Warranty for Section 5311 projects (Special Warranty), which the Secretary of Labor certified on May 31, 1979;

NOW, THEREFORE, BE IT RESOLVED BY THE GOVERNING BOARD OF Champaign County

Section 1. That an application be made to the Division of Public Transportation, Department of Transportation, State of Illinois, for a financial assistance grant under Section 5311 of the Federal Transit Act of 1964, as amended.

Section 2. As a condition of the receipt of Section 5311 funds, Champaign County hereby agrees in writing to the terms and conditions of the Special Warranty (attached) regarding fair and equitable arrangements to protect the interests of employees affected by such assistance.

PASSED by the County Board of Champaign County on the _____ day of _____, 2010.

Officer or Official of Applicant

Signature of Authorized Official

County Board Chairman
Title

Date

SPECIAL SECTION 5333(b) WARRANTY FOR APPLICATION TO THE SMALL URBAN AND RURAL PROGRAM

The following language shall be made part of the contract of assistance with the State or other public body charged with allocation and administration of funds provided under 49 U.S.C. Section 5311:

A. General application

The Public Body ("Champaign County") agrees that, in the absence of waiver by the Department of Labor, the terms and conditions of this warranty, as set forth below, shall apply for the protection of the transportation related employees of any employer providing transportation services assisted by the Project ("Recipient"), and the transportation related employees of any other surface public transportation providers in the transportation service area of the Project.

The Public Body shall provide to the Department of Labor and maintain at all times during the Project an accurate, up-to-date listing of all existing transportation providers which are eligible Recipients of transportation assistance funded by the Project, in the transportation service area of the Project, and any labor organizations representing the employees of such providers.

Certification by the Public Body to the Department of Labor that the designated Recipients have indicated in writing acceptance of the terms and conditions of the warranty arrangement will be sufficient to permit the flow of Section 5311 funding in the absence of a finding of non-compliance by the Department of Labor.

B. Standard Terms and Conditions

(1) The Project shall be carried out in such a manner and upon such terms and conditions as will not adversely affect employees of the Recipient and of any other surface public transportation provider in the transportation service area of the Project. It shall be an obligation of the Recipient and any other legally responsible party designated by the Public Body to assure that any and all transportation services assisted by the Project are contracted for and operated in such a manner that they do not impair the rights and interests of affected employees. The term "Project," as used herein, shall not be limited to the particular facility, service or operation assisted by Federal funds, but shall include any changes, whether organizational, or otherwise, which are a result of the assistance provided. The phrase "as a result of the Project," shall when used in this arrangement, include events related to the Project occurring in anticipation of, during, and subsequent to the Project and any program of efficiencies or economies related thereto; provided, however, that volume rises and falls of business, or changes in volume and character of employment brought about by causes other than the Project (including any economies or efficiencies unrelated to the Project) are not within the purview of this arrangement.

An employee covered by this arrangement, who is not dismissed, displaced or otherwise worsened in his position with regard to his employment as a result of the Project, but who is dismissed, displaced or otherwise worsened solely because of the total or partial termination of the Project, discontinuance of Project services, or exhaustion of Project funding shall not be deemed eligible for a dismissal or displacement allowance within the meaning of paragraphs (6) and (7) of the Model agreement or applicable provisions of substitute comparable arrangements.

(2) (a) Where employees of a Recipient are represented for collective bargaining purposes, all Project services provided by that Recipient shall be provided under and in accordance with any collective bargaining agreement applicable to such employees which is then in effect.

(2) (b) The Recipient or legally responsible party shall provide to all affected employees sixty (60) days' notice of intended actions which may result in displacements or dismissals or rearrangements of the working forces. In the case of employees represented by a union, such notice shall be provided by certified mail through their representatives. The notice shall contain a full and adequate statement of the proposed changes, and an estimate of the number of employees affected by the intended

changes, and the number and classifications of any jobs in the Recipient's employment available to be filled by such affected employees.

(2) (c) The procedures of this subparagraph shall apply to cases where notices involve employees represented by a union for collective bargaining purposes. At the request of either the Recipient or the representatives of such employees negotiations for the purposes of reaching agreement with respect to the applications of the terms and conditions of this arrangement shall commence immediately. If no agreement is reached within twenty (20) days from the commencement of negotiations, any party to the dispute may submit the matter to dispute settlement procedures in accordance with paragraph (4) of this warranty. The foregoing procedures shall be complied with and carried out prior to the institution of the intended action.

(3) For the purpose of providing the statutory required protections including those specifically mandated by 49 U.S.C. Section 5333(b)1, the public Body will assure as a condition of the release of funds that the Recipient agrees to be bound by the terms and conditions of the National (Model) Section 5333(b) Agreement executed July 23, 1975, identified below, provided that other comparable arrangements may be substituted therefor, if approved by the Secretary of Labor and certified for inclusion in these conditions.

(4) Any dispute or controversy arising regarding the application, interpretation, or enforcement of any of the provisions of this arrangement which cannot be settled by and between the parties at interest within thirty (30) days after the dispute or controversy first arises, may be referred by any such party to any final and binding disputes settlement procedure acceptable to the parties, or in the event they cannot agree upon such procedure, to the Department of Labor or an impartial third party designated by the Department of Labor for final and binding determination. The compensation and expenses of the impartial third party, and any other jointly incurred expenses, shall be borne equally by the parties to the proceeding and all other expenses shall be paid by the party incurring them.

In the event of any dispute as to whether or not a particular employee was affected by the Project, it shall be his obligation to identify the Project and specify the pertinent facts of the Project relied upon. It shall then be the burden of either the Recipient or other party legally responsible for the application of these conditions to prove that factors other than the Project affected the employees. The claiming employee shall prevail if it is established that the Project had an effect upon the employee even if other factors may also have affected the employee.

(5) The Recipient or other legally responsible party designated by the Public Body will be financially responsible for the application of these conditions and will make the necessary arrangements so that any employee covered by these arrangements, or the union representative of such employee, may file claim of violation of these arrangements with the Recipient within sixty (60) days of the date he is terminated or laid off as a result of the Project, or within eighteen (18) months of the date his position with respect to his employment is otherwise worsened as a result of the Project. In the latter case, if the events giving rise to the claim have occurred over an extended period, the 18-month limitation shall be measured from the last such event. No benefits shall be payable for any period prior to six (6) months from the date of the filing of any claim.

(6) Nothing in this arrangement shall be construed as depriving any employee of any rights or benefits which such employee may have under existing employment or collective bargaining agreements, nor shall this arrangement be deemed a waiver of any rights or any union or of any represented employee derived from any other agreement or provision of federal, state or local law.

(7) In the event any employee covered by these arrangements is terminated or laid off as a result of the Project, he shall be granted priority of employment or reemployment to fill any vacant position within the control of the Recipient for which he is, or by training or retraining within a reasonable period, can become qualified. In the event training or retraining is required by such employment or reemployment, the Recipient or other legally responsible party designated by the Public Body shall provide or provide for such training or retraining at no cost to the employee.

(8) The Recipient will post, in a prominent and accessible place, a notice stating that the Recipient has received federal assistance under 49 U.S.C. Chapter 53 and has agreed to comply with the provisions of 49 U.S.C. Section 5333(b). This notice shall also specify the terms and conditions set forth herein for the protection of employees. The Recipient shall maintain and keep on file all relevant books and records in sufficient detail as to provide the basic information necessary to the proper application, administration, and enforcement of these arrangements and to the proper determination of any claims arising thereunder.

(9) Any labor organization which is the collective bargaining representative of employees covered by these arrangements, may become a party to these arrangements by serving written notice of its desire to do so upon the Recipient and the Department of Labor. In the event of any disagreement that such labor organization represents covered employees, or is otherwise eligible to become a party to these arrangements, as applied to the Project, the dispute as to whether such organization shall participate shall be determined by the Secretary of Labor.

(10) In the event the Project is approved for assistance under 49 U.S.C. Chapter 53, the foregoing terms and conditions shall be made part of the contract of assistance between the federal government and the Public Body or Recipient of federal funds; provided, however, that this arrangement shall not merge into the contract of assistance, but shall be independently binding and enforceable by an upon the parties thereto, and by any covered employee or his representative, in accordance with its terms, nor shall any other employee protective agreement merge into this arrangement, but each shall be independently binding and enforceable by and upon the parties thereto, in accordance with its terms.

C. Waiver

As part of the grant approval process, either the Recipient or other legally responsible party designated by the Public Body may in writing seek from the Secretary of Labor a waiver of the statutory required protections. The Secretary will waive these protections in cases, where at the time of the requested waiver, the Secretary determines that there are no employees of the Recipient or of any other surface public transportation providers in the transportation service area who could be potentially affected by the Project. A 30-day notice of proposed waiver will be given by the Department of Labor and in the absence of timely objection, the waiver will become final at the end of the 30-day notice period. In the event of timely objection, the Department of Labor will review the matter and determine whether a waiver shall be granted. In the absence of waiver, these protections shall apply to the Project.

¹Such protective arrangements shall include, without being limited to, such provisions as may be necessary for (1) the preservation of rights, privileges, and benefits (including continuation of pension rights and benefits) under existing collective bargaining agreements or otherwise; (2) the continuation of collective bargaining rights; (3) the protection of individual employees against a worsening of their positions with respect to their employment; (4) assurances of employment to employees of acquired mass transportation systems and priority of reemployment of employees terminated or laid off; and (5) paid training and retraining programs. Such arrangements shall include provisions protecting individual employees against a worsening of their positions with respect to their employments which shall in no event provide benefits less than those established pursuant to 49 U.S.C. Section 11347 [the codified citation of Section 5(2)(f) of the Act of February 4, 1887 (24 Stat. 379), as amended]. Return to original reference point.

² For purposes of this warranty agreement, paragraphs (1); (2); (5); (15); (22); (23); (24); (26); (27); (28); and (29) of the Model Section 5333(b) Agreement, executed July 23, 1975 are to be omitted.

**EXHIBIT C
ILLINOIS DEPARTMENT OF TRANSPORTATION (“IDOT”)
AND FEDERAL TRANSIT ADMINISTRATION (“FTA”)
ASSISTANCE PROGRAMS
JOINT CERTIFICATIONS AND ASSURANCES FOR GRANTEEES**

Name of Grantee: Champaign County

Each Grantee will execute the following applicable assurances and certifications to cover all applications and government agreements that include federal capital and operating assistance. The fifteen categories of certifications and assurances are listed by Roman numerals I through XV. All Grantees must make all certifications and assurances in Category I. Categories II through XIII will apply to some, but not all Grantees. The categories correspond to the following description or circumstances mandating submission of specific certifications, assurances, or agreements.

The Grantee agrees to comply with all the applicable requirements of IDOT and FTA Assurance Programs Joint Certifications and Assurances for Grantees hereinafter listed.
(The Grantee may make this selection instead of individual selections below.)

OR

The Grantee agrees to comply with the applicable requirements of the following categories it has selected:

- | | |
|--|---|
| 1. Certifications and Assurances Required of Each Grantee | X |
| 2. Lobbying Certification (If application exceeds \$100,000) | X |
| 3. Effects on Private Mass Transportation Companies | X |
| 4. Public Hearing Certification for Projects with Substantial Impacts | X |
| 5. Certification for the Purchase of Rolling Stock | X |
| 6. Bus Testing Certification | X |
| 7. Charter Service Agreement | X |
| 8. School Transportation Agreement | X |
| 9. Certification for Demand Responsive Service | X |
| 10. Substance Abuse Certifications | X |
| 11. Certification for a Project Involving Interest or Other Financing Costs | X |
| 12. Certification regarding Intelligent Transportation System Program Assistance | |
| 13. Certifications for the Urbanized Area Formula Program, Job Access and Reverse Commute Program, and the Clean Fuels Program | |
| 14. Certifications and Assurances for the Elderly and Persons with Disabilities Program | X |
| 15. Certifications for the Nonurbanized Area Formula Program | X |
| 16. Certifications and Assurances for the State Infrastructure Bank Program
(Not applicable in Illinois) | |

(The attached signature pages (Grantee and Grantee’s attorney) must be appropriately completed and signed where indicated by both Grantee and Grantee’s Attorney.)

1. CERTIFICATIONS AND ASSURANCES REQUIRED OF EACH GRANTEE

A. Authority of Grantee and Its Representative

The authorized representative of the Grantee and legal counsel who sign these certifications, assurances, and agreements attest that both the Grantee and its authorized representative have adequate authority under state and local law and the by-laws or internal rules of the Grantee organization to:

- (1) Execute and file the applications for federal assistance on behalf of the Grantee,
- (2) Execute and file the required certifications, assurances, and agreements on behalf of the Grantee binding the Grantee, and
- (3) Execute grant and cooperative agreements with FTA or IDOT on behalf of the Grantee.

B. Standard Assurances

The Grantee assures that it will comply with all applicable state & federal statutes, regulations, executive orders, FTA circulars, and other federal administrative requirements in carrying out any grant or cooperative agreement awarded by FTA. The Grantee acknowledges that it is under a continuing obligation to comply with the terms and conditions of the grant or cooperative agreement issued for its approved Project with IDOT or FTA. The Grantee understands that federal laws, regulations, policies, and administrative practices might be modified from time to time and affect the implementation of the Project. The Grantee agrees that the most recent state & federal requirements will apply to the Project, unless IDOT or FTA issues a written determination otherwise.

C. Debarment Suspension and Other Responsibility Matters Primary Covered Transactions

Until new federal debarment and suspension regulations are promulgated that discontinue the current requirement for the Debarment and Suspension Certification and in accordance with U.S. Department of Transportation (U.S. DOT) regulations on Government wide Debarment and Suspension (Non procurement) at 49 CFR Part 29.510, the Grantee certifies to the best of its knowledge and belief, that it and its principals:

- (1) Are not presently debarred, suspended, proposed for debarment, declared ineligible, or voluntarily excluded from covered transactions by any federal department or agency;
- (2) Have not within a three-year period preceding this Certification been convicted of or had a civil judgment rendered against them for commission of fraud or a criminal offense in connection with obtaining, attempting to obtain, or performing a public (federal, state, or local) transaction or contract under a public transaction; violation of federal or state antitrust statutes; or commission of embezzlement, theft, forgery, bribery, falsification or destruction of records, making false statements, or receiving stolen property;
- (3) Are not presently indicted for or otherwise criminally charged or by civil action by a governmental entity (federal, state or local) with commission of any of the offenses listed in paragraph (2) of this certification; and,
- (4) Have not within a three year period preceding this Agreement had one or more public transactions (federal, state, or local) terminated for cause or default.

The Grantee certifies that if it becomes aware of any later information that contradicts the statements in paragraphs (1) through (4) above, it will promptly inform IDOT. Should the Grantee be unable to certify to statements set forth in paragraphs (1) through (4) above, it shall so acknowledge with its signature and provide a written explanation to IDOT.

D. Drug-Free Workplace Certification

Until new U.S. DOT Drug-Free Workplace regulations that rescind the requirements for a Drug-Free Workplace certification are promulgated, and in accordance with Illinois and U.S. DOT regulations on Drug-Free Workplace Requirements (Grants) at 30 ILCS 580/1 *et seq.* and 49 CFR Part 29 at Subpart

F, as amended by 41 U.S.C. Section 702, the Grantee certifies that it will provide a drug-free workplace by:

- (1) Publishing a statement notifying employees that the unlawful manufacture, distribution, dispensing, possession, or use of a controlled substance is prohibited in the Grantee's workplace and specifying the actions that will be taken against employees for violation of such prohibition;
- (2) Establishing an ongoing drug-free awareness program to inform employees about:
 - (a) the dangers of drug abuse in the workplace;
 - (b) the Grantee's policy of maintaining a drug-free workplace;
 - (c) any available drug counseling, rehabilitation, and employee assistance programs; and,
 - (d) the penalties that may be imposed upon employees for drug abuse violations occurring in the workplace.
- (3) Making it a requirement that each employee to be engaged in the performance of the grant or cooperative agreement be given a copy of the statement required by paragraph (1);
- (4) Notifying the employee in the statement required by paragraph (1) that, as a condition of employment financed with federal and state assistance provided by the grant or cooperative agreement, the employee will:
 - (a) abide by the terms of the statement, and
 - (b) notify the employer in writing of his or her conviction of a criminal drug statute occurring in the workplace no later than 5 calendar days after such conviction.
- (5) Notifying IDOT in writing, within 10 calendar days after receiving notice under paragraph (4)(b) from an employee or otherwise receiving actual notice of such conviction. Employers of convicted employees must provide notice, including position title, to every project officer or other designee on whose project activity the convicted employee was working. Notice shall include the identification number(s) of each affected grant or cooperative agreement.
- (6) Taking one of the following actions, within 30 calendar days of receiving notice under paragraph (4)(b), with respect to any employee who is so convicted:
 - (a) taking appropriate personnel action against such an employee, up to and including termination, consistent with the requirements of the Rehabilitation Act of 1973, as amended; or
 - (b) requiring such employee to participate satisfactorily in a drug abuse assistance or rehabilitation program approved for such purposes by a federal, state or local health, law enforcement, or other appropriate agency.
- (7) Making a good faith effort to continue to maintain a drug-free workplace through implementation of paragraphs (1), (2), (3), (4), (5), and (6). The Grantee has or will provide to IDOT a list identifying its headquarters location and each workplace it maintains in which project activities supported by IDOT are conducted.

E. Intergovernmental Review Assurance

If required, the Grantee assures that each project application submitted to IDOT for assistance has been or will be submitted, as required by each state, for intergovernmental review to the appropriate state and local agencies. Specifically, the Grantee assures that it has fulfilled or will fulfill the obligations imposed on FTA by U.S. DOT regulations, "Intergovernmental Review of Department of Transportation Programs and Activities." 49 CFR Part 17.

F. Nondiscrimination Assurance

In accordance with 49 U.S.C. Section 5332, Title VI of the Civil Rights Act of 1964, as amended, 42 U.S.C. Section 2000d, and U.S. DOT regulations, "Nondiscrimination in Federally Assisted Programs of the Department of Transportation - Effectuation of Title VI of the Civil Rights Act," 49 CFR Part 21.7, the Grantee assures that it will comply with all requirements pursuant to 49 CFR Part 21; FTA Circular 4702.1, "Title VI Program Guidelines for Federal Transit Administration Recipients", and other applicable directives so that no person in the United States, on the basis of race, color, national origin, creed, sex, or age will be excluded from participation in, be denied the benefits of, or otherwise be subjected to discrimination in any program or activity (particularly in the level and quality of mass transportation services and mass transportation related benefits) for which the Grantee receives federal financial assistance from the U.S. DOT or FTA.

The Grantee assures that the project or program will be conducted, property acquisitions will be undertaken, and project equipment will be operated in compliance with all requirements of 49 CFR Part 21 and 49 U.S.C. Section 5332. The Grantee understands that this assurance extends to its entire facility and to equipment operated in connection with the Project.

The Grantee assures that it will take appropriate action to ensure that any transferee receiving property financed with federal assistance derived from U.S. DOT or FTA will comply with the provisions of 49 CFR Part 21 and 49 U.S.C. Section 5332. As required by 49 CFR Part 21.7(a)(2), the Grantee will include in each third party contract, subgrant, or sub-agreement appropriate clauses to impose the requirements of 49 CFR Part 21, and 49 U.S.C. Section 5332; and include appropriate provisions imposing those requirements in deeds and instruments recording the transfer of real property, structures, improvements.

The Grantee assures that it will promptly take the necessary actions to effectuate this assurance. In particular, the Grantee will notify the public that complaints pertaining to discrimination in the provision of mass transportation-related services or benefits may be filed with U.S. DOT or FTA. Upon request by U.S. DOT or FTA, the Grantee assures that it will submit the requisite information pertaining to its compliance with these requirements. The Grantee assures that it will make such changes in its 49 U.S.C. Section 5332 and Title VI implementing procedures as U.S. DOT or FTA may request.

G. Assurances of Nondiscrimination on the Basis of Disability

As required by 49 U.S. C. 5332 and in accordance with U.S. DOT regulations, "Nondiscrimination on the Basis of Handicap in Programs and Activities Receiving or Benefiting from Federal Financial Assistance," 49 CFR Part 29, the Grantee assures that, as a condition to the approval or extension of any federal financial assistance from FTA or U.S. DOT to construct any facility, obtain any rolling stock or other equipment, undertake studies, conduct research, or to participate in or obtain any benefit from any program administered by FTA or IDOT, no otherwise qualified person with a disability shall be, solely by reason of that disability, excluded from participation in, denied the benefits of, or otherwise subjected to discrimination in any program or activity receiving or benefiting from federal financial assistance administered by the FTA or IDOT or any entity within U.S. DOT.

Specifically, the Grantee assures it will implement any program or operate any facility so assisted in compliance with all applicable requirements imposed by U.S. DOT regulations implementing the Rehabilitation Act of 1973, as amended, 29 U.S.C. Section 794 et seq., and the Americans with Disabilities Act of 1990, as amended, 42 U.S.C. Section 12101 et seq. and implementing U.S. DOT regulations, 49 CFR Parts 27, 37, and 38, as well as all applicable regulations and directives issued in accordance thereto by other federal departments or agencies.

H. Procurement Compliance

The Grantee certifies that its procurements and procurement system that involved FTA assistance will comply with all applicable requirements imposed by federal and state laws, executive orders, or regulations and FTA directives (including the requirements of FTA Circular 4220.1E, "Third Party Contracting Guidelines," including any revisions thereto) and other requirements FTA may issue and any revisions thereto. The Grantee certifies that it will include in its contracts financed in whole or in part with FTA assistance all clauses required by federal and state laws, executive orders, or regulations, and will ensure that each subrecipient and contractor will also include in its subagreements and contracts financed in whole or in part with FTA assistance all applicable clauses required by federal laws, executive orders, or regulations.

I. Certifications Prescribed by the Office of Management and Budget (SF-424B and SF-424D)

The Grantee certifies that it:

- (1) Has the legal authority to apply for federal assistance and the institutional, managerial, and financial capability (including funds sufficient to pay the non-federal share of project cost) to ensure proper planning, management, and completion of the project described in its application.
- (2) Will give FTA, the Comptroller General of the United States and, if appropriate, the State, through any authorized representative, access to and the right to examine all records, books,

- papers, or documents related to the award; and will establish a proper accounting system in accordance with generally accepted accounting standards or agency directives.
- (3) Will establish safeguards to prohibit employees from using their positions for a purpose that constitutes or presents the appearance of personal or organizational conflict of interest or personal gain.
- (4) Will initiate and complete the work within the applicable project time periods following receipt of FTA approval.
- (5) Will comply with all statutes relating to nondiscrimination including, but not limited to:
- (a) Title VI of the Civil Rights Act, 42 U.S.C. Section 2000d, which prohibits discrimination on the basis of race, color, or national origin;
 - (b) Title IX of the Education Amendments of 1972, as amended, 20 U.S.C. Sections 1681 through 1683, and 1685 through 1687, and U.S. DOT regulations, "Nondiscrimination of the Basis of Sex in Education Programs or Activities Receiving Federal Financial Assistance," 49 CFR Part 25, which prohibits discrimination on the basis of sex;
 - (c) Section 504 of the Rehabilitation Act of 1973, as amended, 29 U.S.C. Section 794, which prohibits discrimination on the basis of handicaps;
 - (d) The Age Discrimination Act of 1975, as amended, 42 U.S.C. Sections 6101 through 6107, which prohibit discrimination on the basis of age;
 - (e) The Drug Abuse Office and Treatment Act of 1972, Pub. L. 92-255, March 21, 1972, and amendments thereto, 21 U.S.C. Section 1174 et seq., relating to nondiscrimination on the basis of drug abuse;
 - (f) The Comprehensive Alcohol Abuse and Alcoholism Prevention Act of 1970, Pub. L. 91-616, December 31, 1970, and amendments thereto, 42 U.S.C. Section 4581 et seq., relating to nondiscrimination on the basis of alcohol abuse or alcoholism;
 - (g) The Public Health Service Act of 1912, as amended, 42 U.S.C. Sections 290dd-3 and 290ee-3, related to confidentiality of alcohol and drug abuse patient records;
 - (h) Title VIII of the Civil Rights Act, 42 U.S.C. Section 3601 et seq., relating to nondiscrimination in the sale, rental, or financing of housing;
 - (i) Any other nondiscrimination provisions in the specific statutes under which federal assistance for the project may be provided including, but not limited to 49 U.S.C. Section 5332, which prohibits discrimination on the basis of race, color, creed, national origin, sex, or age, and prohibits discrimination in employment or business or business opportunity, and section 1101(b) of the Transportation Equity Act for the 21st Century, 23 U.S.C. Section 101 note, which provides for participation of disadvantaged business enterprises in FTA programs; and
 - (j) The requirements of any other nondiscrimination statute(s) that may apply to the project.
- (6) Will comply, or has complied, with the requirements of Titles II and III of the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970, as amended, (Uniform Relocation Act) 42 U.S.C. Section 4601 et seq., which among other things, provide for fair and equitable treatment of persons displaced or whose property is acquired as a result of federal or federally-assisted programs. These requirements apply to all interests in real property acquired for project purposes regardless of federal participation in purchases. As required by U.S. DOT regulations, "Uniform Relocation Assistance and Real Property Acquisition for Federal and Federally Assisted Programs," at 49 CFR Part 24.4, and Sections 210 and 305 of the Uniform Relocation Act, 42 U.S.C. Sections 4630 and 4655, the Grantee assures that it has the requisite authority under applicable state and local law and will comply or has complied with the requirements of the Uniform Relocation Act, 42 U.S.C. Section 4601 et seq., and U.S. DOT regulations, "Uniform Relocation Assistance and Real Property Acquisition for Federal and Federally Assisted Programs," 49 CFR Part 24 and will comply with or has complied with that Act and those U.S. DOT implementing regulations, including, but not limited to the following:
- (a) The Grantee will adequately inform each affected person of the benefits, policies, and procedures provided for in 49 CFR Part 24;
 - (b) The Grantee will provide fair and reasonable relocation payments and assistance required by 42 U.S.C. Sections 4622, 4623, and 4624; 49 CFR Part 24; and any applicable FTA procedures, to or for families, individuals, partnerships, corporations or associations displaced as a result of any project financed with FTA assistance;
 - (c) The Grantee will provide relocation assistance programs offering the services described in 42 U.S.C. Section 4625 to such displaced families, individuals, partnerships, corporations or associations in the manner provided in 49 CFR Part 24 and FTA procedures;
 - (d) Within a reasonable time before displacement, the Grantee will make available comparable replacement dwellings to displaced families and individuals as required by 42 U.S.C. Section 4625(c)(3);

- (e) The Grantee will carry out the relocation process in such a manner as to provide displaced persons with uniform and consistent services, and will make available replacement housing in the same range of choices with respect to such housing to all displaced persons regardless of race, color, religion, or national origin;
 - (f) In acquiring real property, the Grantee will be guided to the greatest extent practicable under state law, by the real property acquisition policies of 42 U.S.C. Sections 4651 and 4652;
 - (g) The Grantee will pay or reimburse property owners for necessary expenses as specified in 42 U.S.C. Sections 4653 and 4654, understanding that FTA will participate in the Grantee's costs of providing those payments and that assistance for the project as required by 42 U.S.C. Section 4631;
 - (h) The Grantee will execute such amendments to third party contracts and subagreements financed with FTA assistance and execute, furnish, and be bound by such additional documents as FTA may determine necessary to effectuate or implement the assurances provided herein; and
 - (i) The Grantee agrees to make these assurances part of or incorporate them by reference into any third party contract or subagreement, or any amendments thereto, relating to any project financed by FTA involving relocation or land acquisition and provide in any affected document that these relocation and land acquisition provisions shall supersede any conflicting provisions.
- (7) To the extent applicable will comply with the Davis-Bacon Act, as amended, 40 U.S.C. Section 3141 et seq., the Copeland Act, as amended, 18 U.S.C. Section 874, and the Contract Work Hours and Safety Standards Act, as amended, 40 U.S.C. Sections 3701 et seq., regarding labor standards for federally-assisted subagreements.
- (8) To the extent applicable, will comply with flood insurance purchase requirements of Section 102(a) of the Flood Disaster Protection Act of 1973, as amended, 42 U.S.C. Section 4012a(a), which requires recipients in a special flood hazard area to participate in the program and to purchase flood insurance if the total cost of insurable construction and acquisition is \$10,000 or more.
- (9) Will comply with environmental standards that may be prescribed to implement the following federal laws and executive orders:
- (a) Institution of environmental quality control measures under the National Environmental Policy Act of 1969, as amended, 42 U.S.C. Section 4321 et seq. , and Executive Order No. 11514, as amended, 42 U.S.C. Section 4321 note;
 - (b) Notification of violating facilities pursuant to Executive Order No. 11738, 42 U.S.C. Section 7606 note;
 - (c) Protection of wetlands pursuant to Executive Order No. 11900, 42 U.S.C. Section 4321 note, and the Interagency Wetland Policy Act (20 ILCS 830).
 - (d) Evaluation of flood hazards in floodplains in accordance with Executive Order No. 11988, 42 U.S.C. Section 4321 note;
 - (e) Assurance of project consistency with the approved State management program developed under the Coastal Zone Management Act of 1972, as amended, 16 U.S.C. Section 1451 et seq.
 - (f) Conformity of federal actions to State (Clean Air) Implementation Plans under Section 176(c) of the Clean Air Act of 1955, as amended, 42 U.S.C. Section 7401 et seq.;
 - (g) Protection of underground sources of drinking water under the Safe Drinking Water Act of 1974, as amended, 42 U.S.C. Section 300h et seq.;
 - (h) Protection of endangered species under the Endangered Species Act of 1973, as amended, Endangered Species Act of 1973, as amended, 16 U.S.C. Section 1531 et seq.;
 - (i) Environmental protections for federal transit programs, including, but not limited to protections for a park, recreation area, or wildlife or waterfowl refuge of national, state, or local significance or any land from a historic site of national, state, or local significance used in a transit project as required by 49 U.S.C. Section 303;
 - (j) Protection of the components of the national wild and scenic rivers system, as required under the Wild and Scenic Rivers Act of 1968, as amended, 15 U.S.C. Section 1271 et seq.; and
 - (k) Provision of assistance to FTA and IDOT in assuring compliance with section 106 of the National Historic Preservation Act of 1966, as amended, 16 U.S.C. Section 470f, Executive Order No. 11593 (identification and protection of historic properties), 16 U.S.C. Section 470 note, and the Archaeological and Historic Preservation Act of 1974, as amended, 16 U.S.C. Section 469a-1 et seq.

- (10) Will comply with the Lead-Based Paint Poisoning Prevention Act, 42 U.S.C. Section 4831(b), which prohibits the use of lead-based paint in construction or rehabilitation of residence structures.
- (11) Will not dispose of, modify the use of, or change the terms of the real property title, or other interest in the site and facilities on which a construction project supported with FTA assistance takes place without permission and instructions from the awarding agency. Will record the federal interest in the title of real property in accordance with FTA directives and will include a covenant in the title of real property acquired in whole or in part with federal assistance funds to assure nondiscrimination during the useful life of the project.
- (12) Will comply with FTA requirements concerning the drafting, review, and approval of construction plans and specifications of any construction project supported with FTA assistance. As required by U.S. DOT regulations, "Seismic Safety," 49 CFR Part 41.117(d), before accepting delivery of any building financed with FTA assistance, it will obtain a certificate of compliance with the seismic design and construction requirements of 49 CFR Part 41.
- (13) Will provide and maintain competent and adequate engineering supervision at the construction site of any project supported with FTA assistance to ensure that the complete work conforms with the approved plans and specifications and will furnish progress reports and such other information as may be required by FTA or IDOT.
- (14) Will comply with the National Research Act, Pub. L. 93-348, July 12, 1974, as amended, regarding the protection of human subjects involved in research, development, and related activities supported by the FTA assistance, and DOT regulations, "Protection of Human Subjects," 49 CFR Part II.
- (15) Will comply with the Laboratory Animal Welfare Act of 1966, as amended, 7 U.S.C. Section 2131 et seq., and U.S. Department of Agriculture regulations, "Animal Welfare," 9 CFR Subchapter A, parts 1, 2, 3 and 4, pertaining to the care, handling, and treatment of warm blooded animals held for research, teaching, or other activities supported by FTA assistance.
- (16) Will have performed the required financial and compliance audits in accordance with the Single Audit Act Amendments of 1996, 31 U.S.C. Section 7501 et seq. and OMB Circular No. A-133, "Audits of States, Local Governments, and Non-Profit Organizations," and the most recent applicable OMB A-133
- (17) Will comply with all applicable requirements of all other federal laws, executive orders, regulations, and policies governing the project.

2. LOBBYING CERTIFICATION REQUIRED FOR EACH APPLICATION EXCEEDING \$100,000

In accordance with U.S. DOT regulations, "New Restrictions on Lobbying," at 49 CFR Part 20.110, for each application for federal assistance exceeding \$100,000, the Grantee's authorized representative certifies to the best of his or her knowledge and belief that:

- A. No federal appropriated funds have been paid or will be paid, by or on behalf of the Grantee, to any person for influencing or attempting to influence an officer or employee of any agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with the awarding of any federal grant or cooperative agreement, and the extension, continuation, renewal, amendment, or modification of any federal grant or cooperative agreement.
- B. If any funds other than federal appropriated funds have been paid or will be paid to any person for influencing or attempting to influence an officer or employee of any agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with this federal grant or cooperative agreement, the Grantee shall complete and submit Standard Form-LLL, "Disclosure Form to Report Lobbying," in accordance with its instructions as amended by "Government wide Guidance for New Restrictions on Lobbying," including the information required by the form's instructions, which may be amended to omit such information as permitted by 31 U.S.C. Section 1532.
- C. The Grantee shall require that the language of this certification be included in the award documents for each sub-award at any tiers (including subcontracts, subgrants, sub-agreements and contract under grants and cooperative agreements financed with FTA assistance) and that each grantee shall certify and disclose accordingly.

The Grantee understands that this certification is a material representation of fact upon which reliance is placed and that the submission of this certification is a prerequisite for providing Federal assistance for a

transaction covered by 31 U.S.C. Section 1352; and the Grantee also understands that any person who fails to file the required certification shall be subject to a civil penalty of not less than \$10,000 and not more than \$100,000 for each such failure.

3. EFFECTS ON PRIVATE MASS TRANSPORTATION COMPANIES

As required by 49 U.S.C. Section 5323(a)(1), the Grantee certifies that before it acquires property or an interest in property of a private mass transportation company or operates mass transportation equipment or a facility in competition with or in addition to transportation service provided by an existing mass transportation company it has or will have:

- A. Found that the assistance is essential to carrying out a program of projects as determined by the plans and programs of the metropolitan planning organization;
- B. Provided for the participation of private mass transportation companies to the maximum extent feasible, consistent with applicable FTA requirements and policies;
- C. Paid or will pay just compensation under state or local law to a private mass transportation company for its franchises or property acquired; and
- D. Acknowledged that assistance falls within the labor standards compliance requirements of 49 U.S.C. Section 5333(a) and 5333(b).

4. PUBLIC HEARING CERTIFICATION FOR A CAPITAL PROJECT THAT WILL SUBSTANTIALLY AFFECT A COMMUNITY OR ITS TRANSIT SERVICE

A Grantee seeking federal or state assistance under 49 U.S.C. Section 53 to acquire rolling stock must provide the certification detailed herein. As required by 49 U.S.C. Section 5323(b), the Grantee certifies that it has, or before submitting its application, will have:

- A. Provided an adequate opportunity for a public hearing with adequate prior notice of the proposed project published in a newspaper of general circulation in the geographic area to be served;
- B. Held that hearing and provided FTA and IDOT a transcript or detailed report summarizing the issues and responses, unless no one with a significant economic, social, or environmental interest requests a hearing;
- C. Considered the economic, social, and environmental effects of the project; and
- D. Determined the project to be consistent with official plans for developing the urban area.

5. CERTIFICATION OF PRE-AWARD AND POST-DELIVERY AUDIT OF ROLLING STOCK REQUIRED FOR EACH GRANTEE THAT PURCHASES ROLLING STOCK

As required by 49 U.S.C. Section 5323(m), and implementing FTA regulations at 49 CFR Part 663.7, the Grantee certifies that it will that it will comply with the requirements of 49 CFR Part 663, in the course of purchasing revenue service rolling stock. Among other things, the Grantee will conduct or cause to be conducted the prescribed pre-award and post-delivery audits, and will maintain on file the certifications required by 49 CFR Part 663, Subparts B, C, and D.

6. BUS TESTING CERTIFICATION REQUIRED FOR THE ACQUISITION OF NEW BUSES

In accordance with FTA regulations, "Bus Testing," at 49 CFR Part 665.7, the Grantee certifies that before authorizing final acceptance of the first bus of any new bus model or any bus model with a major change in configuration or components (as described in 49 CFR Part 665) acquired or leased with federal assistance funds obligated by FTA, the following two conditions will have been met: (a) the model of the bus will have been tested at a bus testing facility approved by FTA; and (b) the Grantee will have received a copy of the test report prepared on the bus model.

7. CHARTER SERVICE AGREEMENT

In accordance with 49 U.S.C. Section 5323(d) and FTA regulations, "Charter Service," at 49 CFR Part 604.7, the Grantee agrees that it will provide charter service that uses equipment or equipment acquired with federal assistance authorized for 49 U.S.C. Sections 53; or Title 23 U.S.C., only to the extent that there are no private charter service operators willing and able to provide the charter service that it or its recipients desire to provide unless one or more of the exceptions in 49 CFR Part 604.9 applies.

The Grantee further agrees that it will comply with the provisions of 49 CFR Part 604 before it provides any charter service using equipment or equipment provided with federal assistance authorized for the above statutes, that the requirements of 49 CFR Part 604 will apply to any such charter service that is provided, and that the definitions in 49 CFR Part 604 apply to this Agreement. The Grantee understands that a violation of this Agreement may require corrective measures and the imposition of penalties, including Debarment from the receipt of further federal assistance for mass transportation.

8. SCHOOL TRANSPORTATION AGREEMENT

A. As required by 49 U.S.C. Section 5323(f) and FTA regulations, "School Bus Operations," at 49 CFR Part 605.14, the Grantee agrees that it:

- (1) Engage in school transportation operations in competition with private school transportation operators only to the extent permitted by an exception provided by 49 U.S.C. Section 5323(f), and implementing regulations, and
- (2) Comply with the requirements of 49 CFR Part 605 before providing any school transportation using equipment or facilities acquired with federal assistance awarded by FTA and authorized by 49 U.S.C. Section 53 or Title 23 U.S.C. for transportation projects.

B. The Grantee understands that the requirements of 49 CFR Part 605 will apply to any school transportation it provides, the definitions of 49 CFR Part 605 apply to this school transportation agreement, and a violation of this agreement may require corrective measures and the imposition of penalties, including debarment from the receipt of further federal assistance for transportation.

9. CERTIFICATION REQUIRED FOR THE DIRECT AWARD OF FTA ASSISTANCE TO A GRANTEE FOR ITS DEMAND RESPONSIVE SERVICE

In accordance with U.S. DOT regulations, "Transportation Services for Individuals with Disabilities (ADA)," at 49 CFR Part 37.77, the Grantee certifies that its demand responsive service offered to persons with disabilities, including persons who use wheelchairs, is equivalent to the level and quality of service offered to persons without disabilities. Such service, when viewed in its entirety, is provided in the most integrated setting feasible and is equivalent with respect to: (1) response time; (2) fares; (3) geographic service area; (4) hours and days of service; (5) restrictions on trip purpose; (6) availability of information and reservation capability; and (7) constraints on capacity or service availability.

10. PREVENTION OF ALCOHOL MISUSE AND PROHIBITED DRUG USE CERTIFICATION

As applicable to the Grantee pursuant to federal regulations "Prevention of Alcohol Misuse and Prohibited Drug Use in Transit Operations," at 49 CFR Part 665, Subpart I, the Grantee certifies that it has established and implemented an anti-drug and alcohol misuse program, and has complied with or will comply with the applicable requirements of FTA regulations, "Prevention of Alcohol Misuse and Prohibited Drug Use in Transit Operations," 49 CFR Part 665.

11. CERTIFICATION FOR A PROJECT INVOLVING INTEREST OR OTHER FINANCING COSTS

As required by 49 U.S.C. Section 5307(g), 49 U.S.C. Section 5309(g)(2)(B), 49 U.S.C. Section 5309(g)(3)(A), and 49 U.S.C. Section 5309(n), the Grantee certifies that it will not seek reimbursement for interest and other financing costs unless its records demonstrate it has used reasonable diligence in seeking the most favorable financing terms underlying those costs, to the extent FTA might require.

12. INTELLIGENT TRANSPORTATION SYSTEM PROGRAM ASSISTANCE

As applicable to any Intelligent Transportation System (ITS) project of the Grantee, the Grantee assures that it will comply with, and require its contractors and subcontractors to comply with, all applicable requirements imposed by Section V (Regional ITS Architecture) and Section VI (Project Implementation) of the FTA Notice, "FTA National Intelligent Transportation System Architecture Policy on Transit Projects" at 66 Fed. Reg. 1455 et seq. dated January 8, 2001 and other FTA requirements that may be issued in connection with any ITS project it undertakes financed with Highway Trust Funds (including funds from the mass transit account) or funds made available for the ITS program authorized by TEA-21, Title V, subtitle C, 23 U.S.C. Section 502 note.

With respect to any ITS project financed with federal assistance derived from a source other than Highway Trust Funds or TEA-21, Title V, subtitle C, 23 U.S.C. Section 502 note, the Grantee assured that it will use its best efforts to ensure that any ITS project it undertakes will not preclude interface with other ITS in the region.

13. CERTIFICATIONS FOR THE URBANIZED AREA FORMULA PROGRAM, THE JOB ACCESS REVERSE COMMUTE PROGRAM, AND THE CLEAN FUELS PROGRAM

In addition to the following certifications listed in A., B. and C., and if it has received Transit Enhancement funds under 49 U.S.C. Section 5307(k) (1), the Grantee must submit in its quarterly report for the fourth quarter of the preceding federal fiscal year a list of the Transit Enhancement projects carried out during that federal fiscal year using those funds, and that report is incorporated by reference and made part of its certifications and assurances.

A. *Certifications Required by Statute*

As required by 49 U.S.C. Section 5307(d)(1) (A) through (J), the Grantee certifies that:

- (1) It has or will have the legal, financial, and technical capacity to carry out the proposed program of projects;
- (2) It has or will have satisfactory continuing control over the use of the equipment and facilities;
- (3) It will adequately maintain the equipment and facilities;
- (4) It will ensure that the elderly and handicapped persons, or any person presenting a Medicare card issued to himself or herself under title II or title XVIII of the Social Security Act (42 U.S.C. Section 401 et seq. or 42 U.S.C. Section 1395 et seq.), will be charged during non-peak hours for transportation using or involving a facility or equipment of a project financed with federal assistance authorized for 49 U.S.C. Section 5307 or Section 3037 of the Transportation Equity Act for the 21st Century (TEA-21), 49 U.S.C. Section 5309 note, not more than 50 percent of the peak hour fare;
- (5) In carrying out a procurement financed with federal assistance authorized for the Urbanized Area Formula Program at 49 U.S.C. Section 5307 or Section 3037 of TEA-21, 49 U.S.C. Section 5309 note, it will use competitive procurement (as defined or approved by the Secretary), it will not use a procurement using exclusionary or discriminatory specifications, and it will comply with applicable Buy America laws in carrying out a procurement;
- (6) It has complied or will comply with the requirements of 49 U.S.C. Section 5307(c); specifically, it has or before submitting its application it will: (a) make available to the public information on amounts available for the Urbanized Area Formula Program at 49 U.S.C. Section 5307 and, if applicable, the Job Access and Reverse Commute Grant Program, 49 U.S.C. Section 5309 note, and the program of projects it proposes to undertake with those funds; (b) develop, in consultation with interested parties, including private transportation providers, a proposed program of projects for activities to be financed; (c) publish a proposed program of projects in a way that affected citizens, private transportation providers, and local elected officials have the opportunity to examine the proposed program and submit comments on the proposed program and the performance of the Grantee; (d) provide an opportunity for a public hearing to obtain the views of citizens on the proposed program of projects; and (e) ensure that the proposed program of projects provides for the coordination of transportation services assisted under 49 U.S.C. Section 5336 with transportation services assisted by another federal government source; (f) consider comments and views received, especially those of private transportation providers, in preparing the final program of projects; and (g) make the final program of projects available to the public;
- (7) It has or will have available and will provide the amount of funds required by 49 U.S.C. Section 5307(e) and applicable FTA policy (specifying federal and local shares of project costs);

(8) It will comply with: (a) 49 U.S.C. Section 5301(a) (requirements to develop transportation systems that maximize mobility and minimize fuel consumption and air pollution); (b) 49 U.S.C. Section 5301(d) (requirements for transportation of the elderly and persons with disabilities); (c) 49 U.S.C. Sections 5303 through 5306 (planning requirements); and (d) 49 U.S.C. Section 5310 (d) (programs for the elderly and persons with disabilities);

(9) It has a locally developed process to solicit and consider public comment before raising fares or implementing a major reduction of transportation; and

(10) As required by 49 U.S.C. Section 5307(d)(1)(J), unless the Grantee has determined that it is not necessary to expend one percent of the amount of federal assistance it receives for this transit security projects, it will expend at least one percent of the amount of that assistance for transit security projects, including increased lighting in or adjacent to a transit system (including bus stops, subway stations, parking lots, and garages), increased camera surveillance of an area in or adjacent to that system, emergency telephone line or lines to contact law enforcement or security personnel in an area in or adjacent to that system, and any other project intended to increase the security and safety of an existing or planned transit system.

B. Certification Required for Capital Leasing

As required by FTA regulations, "Capital Leases," 49 CFR Parts 639.15(b)(1) and 639.21, to the extent that the Grantee uses federal assistance authorized for 49 U.S.C. Section 5307 or Section 3037 of TEA-21, 49 U.S.C. Section 5309 note, to acquire any capital asset by lease, the Grantee certifies that:

(1) It will not use federal assistance authorized for 49 U.S.C. Section 5307 or Section 3037 of TEA-21, 49 U.S.C. Section 5309 note, to finance the cost of leasing any capital asset until it undertakes calculations demonstrating that it is more cost-effective to lease the capital asset than to purchase or construct similar assets;

(2) It will complete these calculations before entering into the lease or before receiving a capital grant for the asset, whichever is later; and

(3) It will not enter into a capital lease for which FTA can only provide incremental funding unless it has the financial capacity to meet its future obligations under the lease in the event federal assistance is not available for capital projects in subsequent years.

C. Certifications Required for Sole Source Purchase of Associated Capital Maintenance Item

As required by 49 U.S.C. Section 5325(c), to the extent that the Grantee procures an associated capital maintenance item under the authority of 49 U.S.C. Section 5307(b)(1), the Grantee certifies that it will use competition to procure an associated capital maintenance item unless the manufacturer or supplier of that item is the only source for the item and the price of the item is no more than the price similar customers pay for the item, and maintain sufficient records pertaining to each such procurement on file easily retrievable for FTA or IDOT inspection.

D. Certification Required for Clean Fuels Program

As required by 49 U.S.C. Section 5308 (c)(2), the Grantee certifies that, in connection with any application for assistance authorized for the Clean Fuels Formula Program, vehicles purchased with grant funds made available for 49 U.S.C. Section 5308 will be operated only with clean fuels.

14. CERTIFICATIONS AND ASSURANCES FOR THE ELDERLY AND PERSONS WITH DISABILITIES PROGRAM

Based on its own knowledge the Grantee, administering the Elderly and Persons with Disabilities Program authorized by 49 U.S.C. Section 5310, certifies and assures that the following requirements and conditions will be fulfilled:

A. The Grantee has or will have the necessary legal, financial, and managerial capability to apply for, receive, and disburse federal assistance authorized for 49 U.S.C. Section 5310, and to implement and manage the project.

B. The Grantee assures that it either is recognized under state law as a private nonprofit organization with the legal capability to contract with the state to carry out the proposed project, or is a public body that has met the statutory requirements to receive federal assistance authorized for 49 U.S.C. Section 5310.

- C. The Grantee's application for 49 U.S.C. Section 5310 assistance contains information from which the state concludes that the transit service provided or offered to be provided by existing public or private transit operators is unavailable, insufficient, or inappropriate to meet the special needs of the elderly and persons with disabilities.
- D. The Grantee assures that sufficient non-federal funds have been or will be committed to provide the required local share.
- E. The Grantee has, or will have by the time of delivery, sufficient funds to operate and maintain the vehicles and equipment purchased with federal assistance awarded for this project.
- F. The Grantee has, to the maximum degree feasible, coordinated with other transportation providers and users, including social service agencies authorized to purchase transit service, and has provided an opportunity for a public hearing in connection with any capital assistance.
- G. The Grantee is in compliance with all applicable civil rights requirements, and has signed the Nondiscrimination Assurance.
- H. The Grantee will comply with applicable requirements of U.S. DOT regulations on participation of disadvantaged business enterprises in U.S. DOT programs.
- I. The Grantee will comply with all existing federal requirements regarding transportation of the elderly and persons with disabilities. The Grantee has provided to the state an Assurance of Nondiscrimination on the Basis of Disability, as set forth in the Certifications and Assurances required of each Grantee for FTA assistance. If non-accessible vehicles are being purchased for use by a public entity in demand responsive service for the general public, the Grantee will provide a "Certification of Equivalent Service," which states that the public entity's demand responsive service offered to persons with disabilities, including persons who use wheelchairs, meets the standard of equivalent service set forth in 40 CFR Part 37.77
- J. The Grantee will comply with the transit employee protective provisions of 49 U.S.C. Section 5333(b).
- K. The Grantee will comply with 49 CFR Part 604 in the provision of any charter service provided with equipment or facilities acquired with FTA funds.
- L. The Grantee has certified to the state that it will comply with applicable provisions of 49 CFR Part 605 and 20 ILCS 2705/49.19(6) pertaining to school bus operations.
- M. Unless otherwise noted, each of the Grantee's projects qualifies for a categorical exclusion and does not require further environmental approvals, as described in the joint FHWA/FTA regulations, "Environmental Impact and Related Procedures," at 23 CFR Part 771.117(c). The Grantee certifies that financial assistance will not be provided for any project that does not qualify for a categorical exclusion described in 23 CFR Part 771.117(c) until FTA has made the required environmental finding. The Grantee further certifies that no financial assistance will be provided for a project requiring a conformity finding in accordance with the Environmental Protection Agency's Clean Air Conformity regulations at 40 CFR Parts 51 and 93, until FTA makes the required conformity finding.
- N. The Grantee has submitted (or will submit) all applicable certifications and assurances currently required, including, but not limited to: a certification that its procurements and procurement system will comply with all applicable requirements imposed by federal laws, executive orders, or regulations and the requirements of FTA Circular 4220.1D, "Third Party Contracting Requirements," and other implementing requirements FTA may issue; a certification that its project provides for the participation of private mass transportation companies to the maximum extent feasible; a certification that it has paid or will pay just compensation under state or local law to each private mass transportation company for its franchise or property acquired under the project, a nonprocurement suspension and debarment certification, a bus testing certification for new models; a pre-award and post-delivery review certification, and a lobbying certification for each application exceeding \$100,000.

O. The Grantee recognizes FTA's and IDOT's authority to conduct audits to verify compliance with the foregoing requirements and stipulations.

15. CERTIFICATIONS AND ASSURANCES FOR THE NONURBANIZED AREA FORMULA PROGRAM

The Grantee administering the Nonurbanized Area Formula Program authorized by 49 U.S.C. Section 5311 certifies and assures that the following requirements and conditions will be fulfilled:

A. The Grantee will have the necessary legal, financial, and managerial capability to apply for, receive and disburse federal assistance authorized for 49 U.S.C. Section 5311; and to implement and manage the project.

B. The Grantee assures that sufficient non-federal funds have been or will be committed to provide the required local share.

C. The Grantee has, or will have by the time of delivery, sufficient funds to operate and maintain the vehicles and equipment purchased with federal assistance authorized for this project.

D. The Grantee has, to the maximum extent feasible, coordinated with other transportation providers and users, including social service agencies authorized to purchase transit service.

E. The Grantee is in compliance with all applicable civil rights requirements, and has signed the Nondiscrimination Assurance.

F. The Grantee will comply with applicable requirements of U.S. DOT regulations on participation of disadvantaged business enterprise in U.S. DOT programs.

G. The Grantee will comply with all existing federal requirements regarding transportation of elderly persons and persons with disabilities. The Grantee has provided to the IDOT an Assurance of Nondiscrimination on the Basis of Disability, as set forth in the Certifications and Assurances required of each Grantee for FTA assistance in Category I of this document. If non-accessible vehicles are being purchased for use by a public entity in demand responsive service for the general public, the state will obtain from the Grantee a "Certification of Equivalent Service," which states that the public entity's demand responsive service offered to persons with disabilities, including persons who use wheelchairs, meets the standards of equivalent service set forth in 40 CFR Part 37.77(c).

H. The Grantee has complied with the transit employee protective provisions of 49 U.S.C. Section 5333(b), by one of the following actions: (1) signing the Special Warranty for the Nonurbanized Area Formula Program, (2) agreeing to alternative comparable arrangements approved by the Department of Labor (DOL), or (3) obtaining a waiver from DOL, and the state has certified the Grantee's compliance to DOL.

I. The Grantee has certified to the state that it will comply with 49 CFR 604 in the provision of any charter service provided with equipment or facilities acquired with FTA assistance, and will also comply with applicable provisions of 49 CFR Part 605 pertaining to school transportation operations. (See Category VII, "Charter Bus Agreement" and Category VIII, "School Bus Agreement.")

J. Unless otherwise noted, each of the Grantee's projects qualifies for a categorical exclusion and does not require further environmental approvals, as described in the joint FHWA/FTA regulations, "Environmental Impact and Related Procedures," at 23 CFR Part 771.117(c). The Grantee further agrees that no financial assistance will be provided for a project requiring a conformity finding in accordance with the Environmental Protection Agency's Clean Air Conformity regulations at 40 CFR Parts 51 and 93, until FTA makes the required conformity finding.

K. The Grantee has submitted (or will submit) all applicable certifications and assurances currently required, including but not limited to: a certification that its procurements and procurement system will comply with all applicable requirements imposed by federal laws, executive orders, or regulations and the requirements of FTA Circular 4220.1D, "Third Party Contracting Requirements," and other implementing requirements FTA may issue; a certification that its project provides for the participation of private mass

transportation companies to the maximum extent feasible; a certification it has paid or will pay just compensation under state or local law to each private mass transportation company for its franchise or property acquired under the project; a nonprocurement suspension and debarment certification, a bus testing certification for new bus models, a pre-award and post-delivery review certification, a lobbying certification for each application exceeding \$100,000, and if required by FTA, an anti-drug program certification and an alcohol testing certification, and the certification required for a project involving interest or other financing costs.

L. The Grantee recognizes FTA's and IDOT's authority to conduct audits to verify compliance with the foregoing requirements and stipulations.

16. CERTIFICATIONS AND ASSURANCES FOR THE STATE INFRASTRUCTURE BANK PROGRAM

(Not applicable in Illinois.)

AFFIRMATION OF GRANTEE'S ATTORNEY

For Champaign County (Name of Grantee)

As the undersigned legal counsel for the above named Grantee, I hereby affirm that the Grantee has authority under state and local law to make and comply with the certifications and assurances as indicated on the foregoing pages. I further affirm that, in my opinion, the certifications and assurances have been legally made and constitute legal and binding obligations on the Grantee.

I further affirm that, to the best of my knowledge, there is no legislation or litigation pending or threatened that might adversely affect the validity of these certifications and assurances, or of the performance of the project.

Grantee's Attorney

Date

JOINT CERTIFICATION AND ASSURANCES FOR IDOT & FTA PROGRAMS

Name of Grantee: Champaign County

Name of Authorized Representative: C. Pius Weibel

Relationship of Authorized Representative: Chairman Champaign County Board

BY ENDORSING THIS SIGNATURE PAGE, I, C. Pius Weibel

declares that I am duly authorized by the Grantee to make the certifications and assurances on behalf of the Grantee and bind the Grantee to comply with them. Thus, when its authorized representative signs this document, the Grantee agrees to comply with all state and federal statutes, regulations, executive orders, and administrative guidance required for any application it makes to the Federal Transit Administration (FTA) and Illinois Department of Transportation (IDOT).

IDOT and FTA intend that the certifications and assurances apply, as required, to each project for which the Grantee seeks now, or may later seek FTA or IDOT assistance.

The Grantee affirms the truthfulness and accuracy of the certifications and assurances it has made in the statements submitted herein with this document and any other submission made to FTA or IDOT, and acknowledges that the provisions of the Program Fraud Civil Remedies Act of 1986, 31 U.S.C. Section 3801 *et seq.*, as implemented by U.S. DOT regulations, "Program Fraud Civil Remedies," 49 CFR Part 31 apply to any certification, assurance or submission made to IDOT or FTA. The criminal fraud provisions of 18 U.S.C. Section 1001 apply to any certification, assurance, or submission made in connection with the FTA and IDOT formula assistance program for urbanized areas, and may apply to any other certification, assurance, or submission made in connection with any program administered by FTA or IDOT.

In signing this document, I declare under penalties of perjury that the foregoing certifications and assurances, and any other statements made by me on behalf of the Grantee are true and correct.

Date

Authorized Representative of Grantee

Ordinance

Number _____

AN ORDINANCE TO PROVIDE FOR PUBLIC TRANSPORTATION IN CHAMPAIGN COUNTY, ILLINOIS

Whereby, public transportation is an essential public purpose for which public funds may be expended under Article 13, Section 7 of the Illinois Constitution; and

WHEREAS, Champaign County wishes to provide public transportation for its citizens and become eligible for grants from the State of Illinois or any department or agency thereof, from any unit of local government, from the Federal government or any department or agency thereof; and

WHEREAS, Illinois Compiled Statutes 740/2-1 et seq. authorizes a county to provide for public transportation within the (county or counties) limits:

NOW, THEREFORE, BE IT ORDAINED by the Chair and the County Board of Champaign County that:

Section 1. Champaign County shall hereby provide public transportation within the (county or counties) limits.

Section 2. The County Clerk of the County of Champaign shall file a certified copy of this Ordinance, within sixty days after passage of this ordinance.

Section 3. This Ordinance shall be in full force and effect from and after its passage and approval, as required by law.

Section 4. That the *CEO* of CRIS Rural Mass Transit District is hereby authorized and directed to execute and file on behalf of *Champaign County* a Grant Application to the Illinois Department of Transportation.

Section 5. That the *CEO* of CRIS Rural Mass Transit District is hereby authorized and directed to execute and file on behalf of *Champaign County* all required Grant Agreements with the Illinois Department of Transportation.

PASSED by the Chair and the Board of Champaign County on the _____ day of _____, 2010, and deposited and filed in the office of the County Clerk of said County on that date.

Elected Board Members _____

PRESENT _____

AYE _____

NAY _____

Clerk of Champaign County, Illinois

APPROVED by the Chair of the Champaign County Board, this _____ day of _____, 2010.

Chairman of the Board Champaign County, Illinois

**INTERGOVERNMENTAL AGREEMENT
BETWEEN
CRIS RURAL MASS TRANSIT DISTRICT
AND
THE COUNTY OF CHAMPAIGN**

WHEREAS, CRIS RURAL MASS TRANSIT DISTRICT (“CRIS”) and THE COUNTY OF CHAMPAIGN (“County”) support the access to and availability of public transportation in the County of Champaign; and

WHEREAS, CRIS and the County understand the necessity for governmental cooperation to promote access to and availability of public transportation; and

WHEREAS, the County has certain assets which may be used by CRIS in its provision of public transportation in the County of Champaign; and

WHEREAS, the County is willing to transfer those to CRIS in consideration for CRIS rural public transportation services in the County of Champaign; and

WHEREAS, CRIS and the County are empowered to enter into intergovernmental agreements pursuant to the provisions of Article VII, Section 10 of the 1970 Illinois Constitution and the Intergovernmental Cooperation Act, 5 ILCS 220/1, et. seq.; and

WHEREAS, the County and CRIS desire to make provisions for transit services and allocation of funds pass through from Champaign County to CRIS for future Illinois Department of Transportation Section 5311 and Down State Operating Assistance applications.

NOW, THEREFORE, in consideration of the mutual agreements contained herein, it is agreed between the County and CRIS as follows:

1. Incorporation of Recitals. The Preamble Recitals of this Intergovernmental Agreement are hereby adopted and incorporated as if fully set forth herein.
2. Representations and Compliance with the Intergovernmental Cooperation Act. The County and CRIS hereby represent on their behalf as follows:
 - A. Each is public agency as defined in 5 ILCS 220/2.
 - B. The scope of this Agreement relates to the performance of governmental services, activities or undertakings, which the agency entering into this Agreement are authorized by law to perform.
 - C. The respective governing bodies of each party of this Agreement have approved and authorized this Agreement and the performance of the activities set forth herein. Each party acknowledges and represents that it has the legal power, right, and authority to enter into this Agreement and to perform the duties and obligations contemplated hereby.
 - D. This Agreement fully sets forth the purposes, powers, rights, objectives, and responsibilities of the contracting parties with respect to the subject matter hereof.
3. Powers, Rights, and Responsibilities of the County.
 - A. That the County shall provide and shall transfer to CRIS vehicles acquired by

Champaign County to be used for rural public transportation purposes, which are the subject matter of specified Contracts with the State of Illinois Department of Transportation, pursuant to Applications made by the County under Section(s) 5309, 5310, and 5311 of the Urban Mass Transportation Act of 1964, as amended and Down State Operating Assistance. Upon request, Champaign County shall deliver to CRIS vehicle titles endorsed by the appropriate official of the county of Champaign.

- B. As the County purchases other transportation related assets those items shall be transferred by the County to CRIS on upon receipt.
4. Public Transportation. On and after confirmed contract with the Illinois Department of Transportation for 2011, CRIS shall provide public transportation in Champaign County, Illinois, to the extent that CRIS has the legal authority to do, has an adequate budget to do so and as prioritized by the Champaign County Rural Transportation Advisory Committee.
5. CRIS Responsibilities. Operate rural public transportation in areas as prioritized by Champaign County Rural Transportation Advisory Committee and as defined by Champaign County Ordinances and Resolution.
- Maintain vehicles as per the Illinois Department of Transportation specifications
 - Provide Insurance on vehicles as specified by the Illinois Department of Transportation
 - CRIS will lease rolling stock start up as available from CRIS Rural Mass Transit District for \$1 per year
 - Rolling stock will be evenly exchanged between County and CRIS.
6. Notices. All notices or other communications required or permitted hereunder shall be in writing and shall be personally delivered or sent by effect simile telecommunications or registered or certified mail, postage pre-paid, return receipt requested and addressed to the parties hereto at their respective addresses set forth below. Such notice or other communications shall be deemed given upon receipt or one (1) business day after tendering to an overnight air-express service.

Notices to the County may be sent to:

Chairman
Champaign County Board
1776 E. Washington Street
Urbana, IL 61802
Fax: 217-384-3896

with a copy to:

Chief Executive Officer
CRIS Rural Mass Transit District
601 S. Century Blvd., Suite 1406
Rantoul, IL 61866
Email: ruraltransits@ruraltransits.org

7. Governing Law and Venue. This Agreement shall be governed, construed, and enforced in accordance with the laws of the State of Illinois. The parties agree that the venue for any action pertaining hereto shall be in Champaign County, Illinois.
8. Entire Agreement. This Agreement represents the entire agreement between the parties with respect to the subject matter and may not be modified except by writing.

9. Compliance with Law. The County and CRIS shall comply with all the applicable provisions of local, state, and federal law relating to the performance of the terms of this Agreement.

IN WITNESS WHEREOF, the County has caused this Agreement to be executed by the Chairman of its Board of Commissioners and attested by the County Clerk pursuant to authority given by the Champaign County Board, and CRIS has caused this Agreement to be executed by its Chief Executive Officer pursuant to authority given by its Board of Directors this ____ day of _____ 2010.

COUNTY OF CHAMPAIGN

By: _____
Chairman
Champaign County Board

Attest:

By: _____
County Clerk

CRIS RURAL MASS TRANSIT DISTRICT

By: _____
Chief Executive Officer
CRIS Rural Mass Transit District

**BYLAWS
OF THE
CHAMPAIGN COUNTY
RURAL TRANSIT ADVISORY GROUP**

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INTRODUCTION

The County of Champaign (County) receives funding for rural public transportation service, for which CRIS Rural Mass Transit District (CRIS) operates. With these Bylaws, the County establishes a formal participation process that the Rural Transit Advisory Group (RTAG) is to follow.

ARTICLE I

NAME AND PURPOSES

The name of the committee is the Rural Transit Advisory Group (RTAG). The principal purpose of the RTAG shall be to provide oversight for the provision of transportation services within the County. This shall include, but is not limited to:

- A. Advise Transportation Providers and the County Board on transportation needs
- B. Foster coordination of transportation services within the County
- C. Review transportation services provided
- D. Recommend transportation service improvement

ARTICLE II

GOVERNING AUTHORITY

Except as set forth in these Bylaws, the authority and ultimate responsibility for the operation of rural public transportation service shall rest with CRIS through the Champaign County Board. Nothing in these Bylaws shall be interpreted to the contrary.

ARTICLE III

OPERATING AUTHORITY

Section 1. POWERS AND RESPONSIBILITIES

The RTAG shall carry out the purpose as previously stated through responsibilities that shall include but are not limited to:

1. Provide oversight to transportation services
2. Participate in transportation planning processes
3. Encourage participation in and use of coordinated transportation services
4. Communicate resident concerns regarding transportation services
5. Disseminate information on transportation services
6. Attend RTAG meetings as scheduled
7. Develop and present an Annual Report to the County Board

Section 2. NUMBER AND QUALIFICATION

The RTAG desires to have seven (7) persons. Members shall be representatives of agencies serving Champaign County residents who possess the ability to participate effectively in the discharge of the RTAG responsibilities. The RTAG shall strive to have at least one (1) member

who represents each of the following areas: seniors, individuals with disabilities, low income persons, medical, education, employment, and the Champaign County Board.

Section 3. SELECTION AND APPOINTMENT

The members of the RTAG shall be appointed by the Champaign County Board Chair, with the advice and consent of the RTAG, in November of each year for terms ending in November of that year, except for the filling of vacancies as provided in Section 5 and 6 below.

Section 4. TERM

Each member shall hold office for a term of two (2) years with the exception of the first year, in which some of the members can serve for one (1) year. Each member, including a member appointed to fill a vacancy, shall hold office until expiration of the term for which appointed and until a successor has been appointed and qualified. Members may be re-appointed to successive terms, provided no member may serve for more than three (3) consecutive two (2) year terms without being off the RTAG at least one (1) year.

Section 5. RESIGNATION

Any member may resign at any time, either by oral tender of resignation at any meeting of the RTAG or by giving written notice thereof to the Chair of the Champaign County Board. Such resignation shall take effect at the time specified therefore and, unless otherwise specified with respect thereto, the acceptance of such resignation shall not be necessary to make it effective.

Section 6. REMOVAL

A member may be removed, with or without cause, by action of at least fourteen members of the Champaign County Board at the meeting at which such action is being considered.

Section 7. VACANCIES

Any vacancy occurring on the RTAG shall be filled by the Champaign County Board Chair, with the advice and consent of the Champaign County Board. A member appointed to fill a vacancy occurring on the RTAG shall serve for the unexpired term of his or her predecessor in the office.

ARTICLE IV

MEETINGS OF THE RURAL TRANIST ADVISORY GROUP

Section 1. PLACE OF MEETING

All meetings of the RTAG shall be held at Brookens Administrative Center or at such other place as may be designated for that purpose from time to time by the RTAG.

Section 2. ORGANIZATIONAL MEETINGS

As soon as reasonably practicable, and within thirty (30) days after the initial appointment of RTAG members, the RTAG shall meet for the purpose of organizing the RTAG, for the election of officers, and for the transaction of such other business as may come before the RTAG. Thereafter, the RTAG shall meet in December of every year for the purpose of organizing the RTAG, for the election of officers, and for the transaction of such other business as may come before the RTAG.

Section 3. REGULAR MEETINGS

Regular meetings of the RTAG shall be annually scheduled per the requirement of the Illinois Open Meetings Act, 5 ILCS 120/1 *et seq.*

Section 4. SPECIAL MEETINGS

Special meetings of the RTAG for any purpose or purposes may be called at any time by the Chair or by any three (3) members with written notice as specified by the requirements of the Illinois Open Meetings Act, 5 ILCS 120/1 *et seq.*

Section 5. NOTICE OF MEETINGS

Notice of all meetings of the RTAG shall comply with the requirements set forth in the Illinois Open Meetings Act, 5 ILCS 120/1 *et seq.* Notice of the time and place of all meetings shall be sent to the RTAG members by first-class mail or via e-mail, addressed to each RTAG member at the address maintained by the RTAG Office, at least seven (7) days in advance of all regular meetings, and at least two (2) days in advance of all special meetings. The notice shall contain an agenda which complies with the requirements of the Illinois Open Meetings Act, 5 ILCS 120/1 *et seq.*

Section 6. QUORUM

A simple majority of the RTAG shall constitute a quorum for the transaction of business at any meeting of the RTAG.

Section 7. MINUTES

Minutes of all meetings of the RTAG shall be kept and approved by the RTAG in compliance with the requirements of the Illinois Open Meetings Act, 5 ILCS 120/1 *et seq.*

ARTICLE V

OFFICERS

Section 1. OFFICERS

The officers of the RTAG shall be a Chair, a Vice-Chair, and a Secretary.

Section 2. ELECTION OF OFFICERS

The officers of the RTAG shall be elected bi-annually, in December of each even-numbered year, by the RTAG at its organizational meeting for a term of two years or until he or she shall resign or shall be removed, or otherwise disqualified to serve or his or her successor shall be appointed and qualified. Officers shall be limited to two (2) consecutive two (2) year terms in the same office.

Section 3. REMOVAL OF OFFICERS

Any officer may be removed either with or without cause by a majority of the RTAG members then in office at any regular or special meeting of the RTAG. Should a vacancy occur in any office as a result of death, resignation, removal, disqualification or any other cause, the RTAG will elect a member to the vacant office at its next meeting or as soon as practicable thereafter.

Section 4. CHAIR

The Chair shall preside at all meetings of the RTAG and report annually to the Champaign County Board on the current state of public transportation and plans for the future. The Chair shall be empowered to call special meetings of the RTAG as set forth herein, and shall discharge all other duties as may be required by these Bylaws and from time to time as may be assigned by the RTAG and the Champaign County Board.

Section 5. SECRETARY

The Secretary shall be responsible for keeping minutes at all meetings of the RTAG in accordance with the requirements of the Illinois Open Meetings Act, 5 ILCS 120/1 *et seq.*

ARTICLE VI

INDEMNIFICATION

The County of Champaign shall indemnify its RTAG members who are or were parties or who are threatened to be made parties to any proceeding against expenses, judgments, fines, settlements and other amounts actually and reasonably incurred in connection with such proceeding in accordance with and subject to the limitations prescribed by the Constitution of the State of Illinois of 1970, applicable State law, and the current Champaign County Indemnity Policy, as modified from time to time.

The County of Champaign shall also have the power to maintain/provide insurance on behalf of its RTAG members against any liability asserted against or incurred by them in their capacity as such RTAG member arising out of their status as such whether or not the County would have the power to indemnify against such liability.

ARTICLE VII AMENDMENTS AND REVIEW

These Bylaws, or any part thereof, may be amended, modified or repealed, or new Bylaws may be adopted on advice of the RTAG by the vote or written assent of a majority of the Champaign County Board.



Date: September 27, 2010

To: Champaign County Board Committee of the Whole Members

From: Susan Monte, CCRPC Planner
John Hall, Director, Champaign County Department of Planning & Zoning

Regarding: Direction to Zoning Administrator Regarding Proposed Zoning Ordinance Text Amendment

Request: Conduct a Champaign County Zoning Ordinance Text Amendment implementing Policies 4.1.5, 4.1.7 and 4.1.9 of the Land Resource Management Plan

This item was deferred from the September 7, 2010, Committee of the Whole meeting. The correct memo from that meeting is provided as an attachment.

Attachment: August 27, 2010 Memo regarding Direction to Zoning Administrator Regarding Proposed Zoning Ordinance Text Amendment

Date: August 27, 2010

To: Champaign County Board Committee of the Whole Members

From: Susan Monte, CCRPC Planner
John Hall, Director, Champaign County Department of Planning & Zoning

Regarding: Direction to Zoning Administrator Regarding Proposed Zoning Ordinance Text Amendment

Request: Conduct a Champaign County Zoning Ordinance Text Amendment implementing Policies 4.1.5, 4.1.7 and 4.1.9 of the Land Resource Management Plan

Background

On April 22, 2010, the Board adopted the Champaign County Land Resource Management Plan (LRMP). On June 8, 2010, the Committee of the Whole approved the remaining FY 2010 planning contract work plan. The remaining FY 2010 work plan includes the task of amending the *Champaign County Zoning Ordinance* to include provisions of the following specific LRMP objectives and policies: Policies 4.1.5 and 4.1.6; Policy 4.1.9; Policies 4.3.1 - 4.3.4 and Objective 4.4.

This memorandum describes the proposed zoning text amendments intended to represent the changes to the Zoning Ordinance needed to implement LRMP Policies 4.1.5, 4.1.7 and 4.1.9. If authorized by the Committee, the proposed zoning ordinance text amendments will proceed to public hearing review to be held by the ZBA.

<i>LRMP Policy</i>	<i>Brief Description</i>
Policy 4.1.5	by right development limit
Policy 4.1.7	by right maximum lot size limit on best prime farmland
Policy 4.1.9	minimum lot size requirement for farm residence

Attachment A includes the complete text of Policies 4.1.5, 4.1.7 and 4.1.9, as well as the text of the directly relevant LRMP Goal 4 and Objective 4.1.

Specific Issues Related to Policies

Policies 4.1.5 and 4.1.7

The existing Zoning Ordinance includes a 3-acre maximum lot size limit on Best Prime Farmland in the rural zoning districts. In some instances, implementing Policy 4.1.5 could result in lots larger than 3 acres. Proposed zoning ordinance provision 4.3.4G contains an exemption for those instances.

Policy 4.1.9

The existing Zoning Ordinance allows that a farm dwelling will pay no zoning permit fees. The basis of the decision of whether to allow an agricultural exemption from zoning permit fees should be the lot size at which the dwelling becomes accessory to the farming. A new zoning ordinance provision for a large minimum lot size for a farm dwelling is proposed to address this concern in Footnote 15 of Table 5.3 and Item 5.4.2 A.1. Attachment C contains description of large minimum lot size alternatives for Board review.

Other Considerations

Close Loophole

Staff recommends a proposed zoning provision to close a loophole in the existing Ordinance regarding lots created to meet mortgage underwriting requirements that limit the acreage allowed to be included in a home mortgage. Item d, shown below, is proposed to be located at the end of Subparagraph 5.4.2 A.2., following a list of the types of lots that are exempt from the RRO requirement:

- d. Any lot that is created pursuant to a mortgage for any reason must either conform to the requirements above or be in an established Rural Residential Overlay Zoning District.*

Clarification

Staff recommends the following proposed zoning provision be added to Subsection 5.4.2 A to clarify that lots that were lawfully created under all previous limits are grandfathered. This is not a change from practice.

- 4. Any lot that was lawfully created prior to {effective date} that was in full conformance with similar limits that were in affect at the time the lot was created.*

Attachments

- A Relevant Policies
- B Diagrams Comparing By Right Lots Authorized by Existing Zoning Ordinance and as Authorized by Policy 4.1.5
- C Alternatives for Minimum Lot Size for Farm Dwellings
- D Strike-Out Version of Draft Zoning Ordinance Text Amendment

Attachment A

Relevant Policies

LRMP Policies 4.1.5 and 4.1.9 are policies under the LRMP Goal 4 and Goal 4 Objective 4.1, as stated below:

LRMP Goal 4 Champaign County will protect the long term viability of agriculture in Champaign County and its land resource base.

LRMP Objective 4.1 Champaign County will strive to minimize the fragmentation of the County's agricultural land base and conserve farmland, generally applying more stringent development standards on best prime farmland.

LRMP Policy 4.1.5

- a. The County will allow landowner *by right development* that is generally proportionate to tract size, created from the January 1, 1998 configuration of tracts on lots that are greater than five acres in area, with:
- 1 new lot allowed per parcel less than 40 acres in area;
 - 2 new lots allowed per parcel 40 acres or greater in area provided that the total amount of acreage of *best prime farmland* for new by right lots does not exceed three acres per 40 acres; and
 - 1 authorized land use allowed on each vacant *good zoning lot* provided that public health and safety standards are met.
- b. The County will not allow further division of parcels that are 5 acres or less in size.

LRMP Policy 4.1.7

To minimize the conversion of *best prime farmland*, the County will require a maximum lot size limit on new lots established as *by right development on best prime farmland*.

LRMP Policy 4.1.9

Establish a minimum lot size standard for a farm residence on agricultural land.

Attachment B

**Diagrams Comparing By Right Lots Authorized by Existing Zoning Ordinance
and as Authorized by Policy 4.1.5**

The substance of much of LRMP Policy 4.1.5 is already in place in the existing Zoning Ordinance. The primary Zoning Ordinance change necessary to implement Policy 4.1.5 is to limit the number of new lots allowed to be created by right on the January 1, 1998 configuration of tracts based on the limits indicated in Policy 4.1.5.

The example diagrams below illustrate the existing Zoning Ordinance by right lot creation allowance and the proposed zoning amendment to limit the by right lot creation allowance to implement LRMP Policy 4.1.5. All parcels shown are assumed to be in the configuration existing on January 1, 1998.*

5 ACRE PARCEL



Existing Zoning Ordinance (ZO):

- no lot division permitted

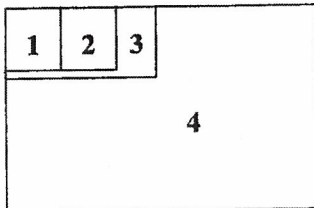
5 ACRE PARCEL



Proposed ZO:

- no lot division permitted

39 ACRE PARCEL

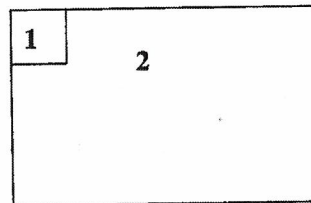


Existing ZO:

- 3 new lots can be created
- the leftover acreage counts as 1 lot

TOTAL # of potential by right lots: 4 lots

39 ACRE PARCEL



Proposed ZO:

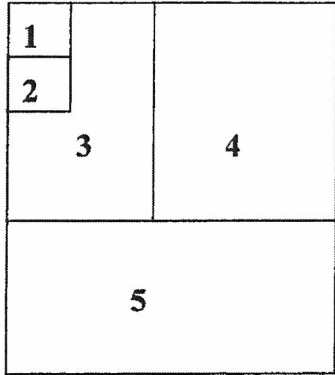
- 1 new lot can be created
- the leftover acreage counts as 1 lot

TOTAL # of potential by right lots: 2 lots

** Diagrams intended as illustrations only and are not drawn to scale*

Diagrams* (continued)

80 ACRE PARCEL

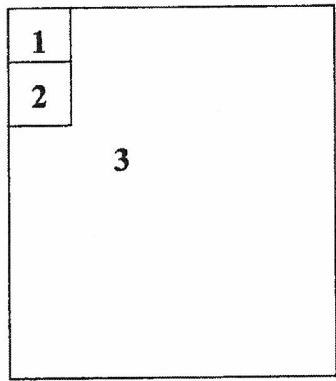


Existing ZO:

- 2 new lots can be created
- the leftover acreage counts as 1 lot
- plus two 35-acre (or larger) lots

TOTAL # of potential by right lots: 5 lots

80 ACRE PARCEL

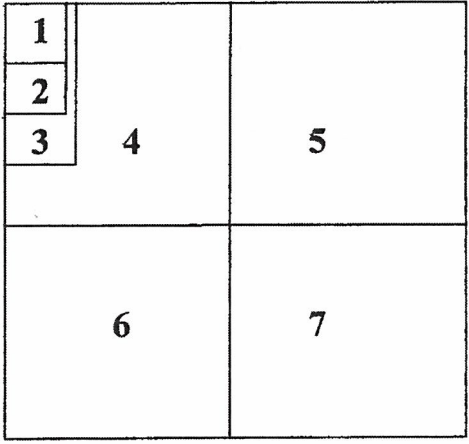


Proposed ZO:

- 2 new lots can be created
- the leftover acreage counts as 1 lot

TOTAL # of potential by right lots: 3 lots

160 ACRE PARCEL

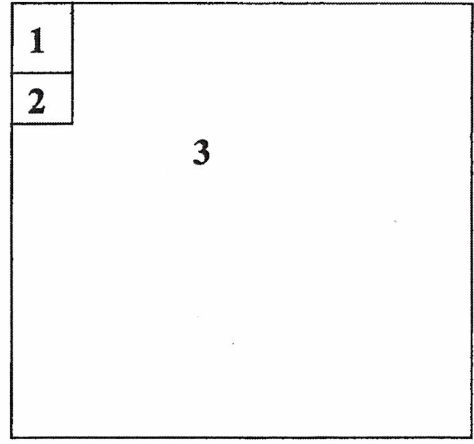


Existing ZO:

- 2 new lots can be created
- the leftover acreage counts as 1 lot
- plus four 35-acre (or larger) lots

TOTAL # of potential by right lots: 7 lots

160 ACRE PARCEL



Proposed ZO:

- 2 new lots can be created
- the leftover acreage counts as 1 lot

TOTAL # of potential by right lots: 3 lots

* *Diagrams intended as illustrations only and are not drawn to scale*

Attachment C

Alternatives for Minimum Lot Size for Farm Dwellings

Under the existing Zoning Ordinance, new home construction can occur by right on a 35-acre or larger parcel of land, with no need to request County approval of a Rural Residential Overlay District (RRO). The existing Zoning Ordinance allows any number of 35-acre lots to be created for residential land use.

The existing zoning provision that allows any number of 35-acre lots to be created is not required by LRMP Policy 4.1.5. Someone wealthy enough to afford to purchase a 35-acre parcel of farmland in order to place a home on that parcel could claim the home is a farm dwelling and therefore an agriculture use, and then be exempted from the need for an RRO.

To best implement LRMP Policies 4.1.5 and 4.1.9, the County will need to establish a large minimum lot size for a farm dwelling. State law grants counties the authority to "...establish a minimum lot size for residences on land used for agricultural purposes" (55 ILCS 5/5-12001). The large minimum lot size for a farm dwelling would be the lot size on which a proposed farm dwelling is determined to be accessory to the agriculture land use.

Farmers will not be affected by the minimum lot size provision. The establishment of a dwelling for a farmer will continue to be exempt from the need to obtain an RRO.

Anyone who receives farming income from the tract of land on which they plan to build a home can try to claim the agriculture exemption and if the agriculture exemption is granted, the only zoning ordinance requirement that applies is the street setback. No permit fees can be charged for a farm dwelling.

Table C-1 describes various options for a proposed large minimum lot size for a farm residence. Staff recommends the County Board consider a minimum lot size for a farm dwelling that is larger than 35 acres, such as 40, 60, 70, or 80 acres.

Table C-1: Alternatives for Farm Dwelling Minimum Lot Size

35 Acres	<ul style="list-style-type: none"> ▶ A 35-acre lot size standard would allow a farm dwelling to be constructed on a vacant "remainder" portion of a parcel that previously was 40 acres in area as of January 1, 1998 and which, since then, has had the maximum of 3 new by right lots already created from it. ▶ 6,738 35-acre or larger tracts exist in Champaign County, as per the Champaign County database of existing parcels as of January 1, 2009.
40 Acres	<ul style="list-style-type: none"> ▶ A 40-acre minimum lot size requirement for a farm dwelling would represent a new standard. ▶ Forty acres is an easy-to-remember, round number ▶ more restrictive than current 35 acre exemption and would result in somewhat fewer claims for farm dwellings ▶ 5,985 40-acre or larger tracts exist in Champaign County, as per the Champaign County database of existing parcels as of January 1, 2009.

continued

Table C-1: Alternatives for Farm Dwelling Minimum Lot Size (continued)

<p>60 Acres</p>	<ul style="list-style-type: none"> ▶ A 60-acre minimum lot size requirement for a farm dwelling would represent a new standard. ▶ more restrictive than current 35 acre exemption and would result in fewer claims for farm dwellings ▶ 3,874 60-acre or larger tracts exist in Champaign County, as per the Champaign County database of existing parcels as of January 1, 2009.
<p>80 Acres</p>	<ul style="list-style-type: none"> ▶ An 80-acre minimum lot size requirement for a farm dwelling would represent a new standard. ▶ 80 acres is a size at which the traffic generated by the residence is small enough to not be a problem on any rural road. ▶ 80 acres is a size at which the number of driveways will be greatly minimized (only eight driveways per square mile). ▶ 80 acres is a size at which the number of dwellings that result will be very few and there will be fewer conflicts with agriculture. ▶ 80 acres is more than twice as large as the current exemption and so it will reduce the number of lots that are exempt from the Ordinance. This is not related to the impacts of a dwelling, but is an added benefit and it means that not many lots will be exempt from paying fees. ▶ 2,650 80-acre or larger tracts exist in Champaign County, as per the Champaign County database of existing parcels as of January 1, 2009.

Attachment D

Strikeout Version of Draft Zoning Ordinance Text Amendment

1. Add a definition for 'best prime farmland', 'farmstead', 'parcel', and 'remainder area lot'.

Section 3.0 Definitions

BEST PRIME FARMLAND: Soils identified in the Champaign County Land Evaluation and Site Assessment (LESA) System with a Relative Value of 85 or greater and tracts of land with mixed soils that have a LESA System Land Evaluation rating of 85 or greater.

FARMSTEAD: That portion of a LOT that is or was occupied in 1988 by a lawful DWELLING and/or any ACCESSORY BUILDINGS and STRUCTURES or existing foundations thereof; and including any required YARD for any existing BUILDING or existing STRUCTURE that is or will no longer be in AGRICULTURE use; and also including any existing mature trees or lawn areas that were not in agricultural production in 1988. The area of a FARMSTEAD is the minimum dimensions required to encompass all BUILDINGS, STRUCTURES, foundations, mature trees, and lawn areas within a simple rectangular area.

PARCEL: A designated tract of land entered as a separate item on the real estate tax assessment rolls for the purpose of taxation.

REMAINDER AREA LOT: A 'remainder area lot' is that portion of a tract which existed as of January 1, 1998, that is BEST PRIME FARMLAND, and that is located outside of the boundaries of a LOT that is exempt from the requirement for establishment of the Rural Residential OVERLAY Zoning DISTRICT.

2. Add a Paragraph 4.3.4 G that consolidates existing and new zoning ordinance requirements for residential lots in the rural districts.

Subsection 4.3.4

G. Special requirements for residential LOTS in the AG-1, AG-2, and CR DISTRICTS that are not used for AGRICULTURE

1. LOTS created after June 22, 1999, in the AG-1, AG-2, and CR DISTRICTS shall conform to the requirements of Subsection 5.4.3 in regards to the requirement for the establishment of the Rural Residential Overlay District.

2. Minimizing the amount of BEST PRIME FARMLAND used for non-AGRICULTURE residential LOTS in the CR, AG-1 and AG-2 DISTRICTS

a. Any residential LOT on BEST PRIME FARMLAND in the CR, AG-1 and AG-2 DISTRICTS that is not used for AGRICULTURE shall not exceed a maximum of three acres in LOT AREA except as follows:

(1) Any LOT created out of any PARCEL that was 40 acres or larger and existed in the same dimensions and configurations on January 1, 1998,

may exceed three acres in LOT AREA provided that the total amount of BEST PRIME FARMLAND that is used for such LOTS shall not exceed three acres per 40 acres. Any FARMSTEAD area shall not count towards the three acres per 40 acre limit.

- (2) Any LOT created from a LOT that had a LOT AREA of 12 acres or less as of January 1, 1998.
- (3) Any LOT that includes a FARMSTEAD within the LOT AREA provided that the LOT AREA is no larger than the area of the FARMSTEAD.
- (5) Any LOT that is part of a Rural Residential Overlay District.
- (6) Any REMAINDER AREA LOT. No BY RIGHT CONSTRUCTION or BY RIGHT USE that requires a Zoning Use Permit shall be permitted on a REMAINDER AREA LOT.

- b. The total amount of BEST PRIME FARMLAND that can be used for non-AGRICULTURE residential LOTS in the CR, AG-1 and AG-2 DISTRICTS that are also in the Rural Residential Overlay DISTRICT shall meet the requirements of Subsection 5.4.3.

3. Revise the categories of "SUBDIVISIONS" under "Residential Uses" in Section 5.2 as follows:

SUBDIVISION(S) of one lot from less than 40 acres or no more than two lots from 40 acres or greater totaling three LOTS or less

SUBDIVISION(S) of more than one lot from less than 40 acres or more than two lots from 40 acres or greater totaling more than three LOTS or with new STREETS or PRIVATE ACCESSWAYS

4. Revise Footnotes 9 and 10 in Section 5.2 as follows:

- 9. SUBDIVISION(S) of a PARCEL that existed on January 1, 1998, into no more than one lot per PARCEL that is less than 40 acres in area or no more than two lots per PARCEL that is 40 acres or greater in area. See also subsection 5.4.2. No more than three LOTS in total (in any number of subdivisions involving LOTS that are less than 35 acres in area) are allowed to be platted per parcel except as provided in Section 5.4.2.
- 10. SUBDIVISION(S) of a PARCEL that existed on January 1, 1998, into more than one lot per PARCEL that is less than 40 acres in area or more than two lots per PARCEL that is 40 acres or greater in area or with new STREETS or PRIVATE ACCESSWAYS. See also subsection 5.4.2. No SUBDIVISION shall be created unless a Rural Residential OVERLAY DISTRICT has been created except as provided in Section 5.4.2

5. In Section 5.3, revise Footnote 13 to reference revised Paragraph “4.3.4 G” and add Footnote 15.

Section 5.3 Schedule of Area, Height and Placement Regulations by District

Zoning DISTRICTS	Minimum LOT Size ^{12, 15}		Maximum HEIGHT ^{4, 11}		Required YARDS (feet)					Maximum LOT COVERAGE	Special Provisions
	Area (square feet)	Average Width (feet)	Feet	Stories	Front Setback from STREET Centerline ³			SIDE ⁷	REAR ⁶		
					STREET Classification						
					MAJOR	COLLECTOR	MINOR				
AG-1 AGRICULTURE	1 Acre	200	50	NR ¹⁰	85	75	55	15	25	20%	(5), (13), (14)
AG-2 AGRICULTURE	20,000	100	50	NR ¹⁰	85	75	55	10	20	25%	(5), (13)
CR Conservation-Recreation	1 Acre	200	35	2 1/2	85	75	55	15	25	20%	(5), (13)
R-1 Single FAMILY Residence	9,000	80	35	2 1/2	85	75	55	10	20	30%	(5), (8)
R-2 Single FAMILY Residence	6,500	65	35	2 1/2	85	75	55	10	20	30%	(5), (8)
R-3 Two FAMILY Residence	6,500 for 1st d.u. ¹ 2,500 per additional d.u.	65	35	2 1/2	85	75	55	5	20	30%	(5)
R-4 Multiple FAMILY Residence	6,500 for 1st d.u. ¹ 2,000 per additional d.u.	65	50	NR ¹⁰	85	75	55	5	15	40%	(5), (9)
R-5 MANUFACTURED HOME PARK	SEE SPECIAL STANDARDS SECTION 6.2										
B-1 Rural Trade Center	6,500	65	NR ¹⁰	NR ¹⁰	85	75	55	10	20	50%	
B-2 Neighborhood Business	6,500	65	35	2 1/2	85	75	55	10	20	35%	(2)
B-3 Highway Business	6,500	65	40	3	85	75	55	5	20	40%	(2)
B-4 General Business	6,500	65	35	2 1/2	85	75	55	10	20	40%	(2)
B-5 Central Business	NR ¹⁰	NR ¹⁰	35	2 1/2	0	0	0	0	0	100%	(2)
I-1 Light Industry	10,000	100	75	NR ¹⁰	85	75	55	10	20	50%	(2)
I-2 Heavy Industry	20,000	150	150	NR ¹⁰	85	75	55	20	30	65%	(2)

Footnotes

1 - 12. [no changes proposed]

13. The following ~~maximum LOT AREA requirements apply in the CR, AG-1 and AG-2 DISTRICTS:~~
- A) ~~LOTS that meet all of the following criteria may not exceed a maximum LOT AREA of three acres:~~
- 1) ~~The LOT is RRO exempt;~~
 - 2) ~~The LOT has a Land Evaluation score greater than or equal to 85 on the County's Land Evaluation and Site Assessment System; and~~
 - 3) ~~The LOT is created from a tract that had a LOT AREA greater than or equal to 12 acres as of January 1, 1998.~~
- B) ~~LOTS that meet both of the following criteria may not exceed an average maximum LOT AREA of two acres:~~
- 1) ~~The LOT is located within a Rural Residential OVERLAY DISTRICT; and~~
 - 2) ~~The LOT has a Land Evaluation score of greater than or equal to 85 on the County's Land Evaluation and Site Assessment System.~~
- C) ~~The following LOTS are exempt from the three acre maximum LOT AREA requirement indicated in Paragraph A:~~
- 1) ~~A 'Remainder Area Lot.' A 'Remainder Area Lot' is that portion of a tract which existed as of January 1, 1998 and that is located outside of the boundaries of a RRO exempt LOT less than 35 acres in LOT AREA. No CONSTRUCTION or USE that requires a Zoning Use Permit shall be permitted on a 'Remainder Area Lot.'~~
 - 2) ~~Any LOT greater than or equal to 35 acres in LOT AREA.~~

Refer to Paragraph 4.3.4 G for maximum LOT AREA limits on BEST PRIME FARMLAND in the CR, AG-1 and AG-2 DISTRICTS

14. [retain Footnote 14 as is]

15. The minimum lot size for a farm DWELLING that is used principally for AGRICULTURE is { 35 / 40 / 60 / 80 } acres.

7. Revise Subsection 5.4.2 as follows:

5.4 Rural Residential OVERLAY Zoning DISTRICT

5.4.2 Exemptions

- A. The following may be permitted in the CR, AG-1 and AG-2 DISTRICTS without the creation of a Rural Residential OVERLAY DISTRICT:
1. The creation of any number of LOTS ~~greater than 35~~ that are each { 35 / 40 / 60 / 80 } acres or greater in area.
 2. ~~The creation of the first three~~ LOT(S) ~~area~~ created out of any PARCEL of land that existing existed in the same dimensions and configurations as on January 1, 1998, ~~provided...LOTS. and that~~ comply with the following limits:
 - a. One new LOT out of any PARCEL that was more than five acres but less than 40 acres in area on January 1, 1998.

- b. No more than two new LOTS out of any PARCEL that was 40 acres or greater in area provided that the total amount of BEST PRIME FARMLAND occupied by the new LOTS does not exceed three acres per 40 acres of PARCEL existing in the same dimensions and configurations as on January 1, 1998.
- c. The leftover acreage of any PARCEL that existed on January 1, 1998, after the division of LOTS authorized in either (a) or (b) above and that conforms to all other requirements.
- d. Any LOT that is created pursuant to a mortgage for any reason must either conform to the requirements above or be in an established Rural Residential OVERLAY Zoning DISTRICT.

(NOTE: Proposed Item d (above) is recommended to close a loophole in the current Ordinance related to lots that are created to meet mortgage underwriting requirements that limit the acreage allowed to be included in a home mortgage. If this change is not made the loophole will continue to exist.)

- 3. — No lot that is 5 acres or less in area may be further divided.

(NOTE: The proposed deletion of Item 3 (above) is minor editing. This requirement has been relocated to Section 4 under the revised paragraph 4.3.4 G.)

- 4. 3. The creation of any number of LOTS contained in a SUBDIVISION having received preliminary plat approval prior to June 22, 1999 for which preliminary plat approval remains in effect.
- 4. Any LOT that was lawfully created prior to {effective date} that was in full conformance with similar limits that were in affect at the time the LOT was created.

(NOTE: Proposed Item 4 (above) is not specifically related to any new policy, but is recommended because it clarifies that lots that were lawfully created under all previous limits are grandfathered. This is not a change from practice.)

Date: September 27, 2010

To: Champaign County Board Committee of the Whole Members

From: Susan Monte, CCRPC Planner
John Hall, Director, Champaign County Department of Planning & Zoning

Regarding: Direction to Zoning Administrator Regarding Proposed Zoning Ordinance Text Amendment

Request: Conduct a Champaign County Zoning Ordinance Text Amendment Implementing Policies 4.1.6 and 4.3.1 - 4.3.4 of the Land Resource Management Plan

This item was deferred from the September 7, 2010, Committee of the Whole meeting. The memo from that meeting is provided as an attachment.

If necessary due to the length of the current Agenda, the Committee could defer this item until the November 4, 2010, Committee of the Whole meeting.

Attachment: August 30, 2010 Memo regarding Direction to Zoning Administrator Regarding Proposed Zoning Ordinance Text Amendment

Date: August 30, 2010

To: Champaign County Board Committee of the Whole Members

From: Susan Monte, CCRPC Planner
John Hall, Director, Champaign County Department of Planning & Zoning

Regarding: Direction to Zoning Administrator Regarding Proposed Zoning Ordinance Text Amendment

Request: Conduct a Champaign County Zoning Ordinance Text Amendment implementing Policies 4.1.6 and 4.3.1 - 4.3.4 of the Land Resource Management Plan

Background

On April 22, 2010, the Board adopted the Champaign County Land Resource Management Plan (LRMP). On June 8, 2010, the Committee of the Whole approved the remaining FY 2010 planning contract work plan. The remaining FY 2010 work plan includes the task of amending the *Champaign County Zoning Ordinance* to include provisions of the following specific LRMP objectives and policies: Policies 4.1.5 and 4.1.6; Policy 4.1.9; Policies 4.3.1 - 4.3.4 and Objective 4.4.

This memorandum describes the proposed zoning text amendments intended to represent the changes to the Zoning Ordinance needed to implement LRMP Policies 4.1.6 and 4.3.1 - 4.3.4. If authorized by the Committee, the proposed zoning ordinance text amendments will proceed to public hearing review to be held by the ZBA.

<i>LRMP Policy</i>	<i>Brief Description</i>
Policy 4.1.6	discretionary residential development limit on best prime farmland
Policy 4.3.1	‘suited overall’ site suitability standard for discretionary review on other than best prime farmland
Policy 4.3.2	‘well suited overall’ site suitability standard for discretionary review on best prime farmland
Policy 4.3.3	‘adequate public services’ site suitability criteria for discretionary review
Policy 4.3.4	‘adequate public infrastructure’ site suitability criteria for discretionary review

Attachment A includes the complete text of Policies 4.1.6 and Policies 4.3.1 - 4.3.4, and text of the directly relevant LRMP Goal 4 and Objective 4.1.

Specific Issues Related to Policies

Policy 4.1.6

Policy 4.1.6 introduces a guiding concept ‘minimizing the conversion of farmland’ which is somewhat similar to the existing review factor that ‘...proposed residential development should be compatible with surrounding agriculture.’ A new guiding concept introduced in Policy 4.1.6 is ‘minimizing the disturbance of natural areas’.

LRMP Policy 4.1.6 calls for the establishment of a limit regarding the amount of best prime farmland (BPF) conversion that may occur with residential discretionary development. The limit on the amount of BPF converted for residential development is 3 acres, inclusive of by right lots created, plus 3 acres for each 40 acres, inclusive of by right lots created, with an overall cap of 12 acres. Attachment B provides a description of the Policy 4.1.6 limits as applied to various parcel sizes.

Policies 4.3.1 - 4.3.4

LRMP Policies 4.3.1 - 4.3.4 specifically address site suitability standards and are relevant to the LRMP Policy 4.1.6 proposed guiding concepts that are intended to serve as a basis for County review of discretionary development:

- ▶ suitability of the site for the proposed use
- ▶ adequacy of infrastructure and public services for the proposed use
- ▶ minimizing conflict with agriculture
- ▶ minimizing the conversion of farmland
- ▶ minimizing the disturbance of natural areas

Attachments

- A Relevant Policies
- B Limits on Total Numbers of Potential Residential Lots and on Conversion of Best Prime Farmland
- C Strike-Out Version of Draft Zoning Ordinance Text Amendment

Attachment A

Relevant Policies

LRMP Policies 4.1.6 and 4.3.1 - 4.3.4 are policies under the LRMP Goal 4 and Goal 4 Objective 4.1, and Objective 4.3, as stated below:

LRMP Goal 4 Champaign County will protect the long term viability of agriculture in Champaign County and its land resource base.

LRMP Objective 4.1 Champaign County will strive to minimize the fragmentation of the County's agricultural land base and conserve farmland, generally applying more stringent development standards on best prime farmland.

LRMP Policy 4.1.6

Provided that the use, design, site and location are consistent with County policies regarding:

- i. suitability of the site for the proposed use;
- ii. adequacy of infrastructure and public services for the proposed use;
- iii. minimizing conflict with agriculture;
- iv. minimizing the conversion of farmland; and
- v. minimizing the disturbance of natural areas,

then,

a) on *best prime farmland*, the County may authorize discretionary residential development subject to a limit on total acres converted which is generally proportionate to tract size and is based on the January 1, 1998 configuration of tracts, with the total amount of acreage converted to residential use (inclusive of *by-right development*) not to exceed three acres plus three acres per each 40 acres (including any existing right-of-way), but not to exceed 12 acres in total; or

b) on *best prime farmland*, the County may authorize non-residential *discretionary development*; or

c) the County may authorize *discretionary review* development on tracts consisting of other than *best prime farmland*.

LRMP Objective 4.3 Champaign County will require that each *discretionary review* development is located on a suitable site.

LRMP Policy 4.3.1

On other than *best prime farmland*, the County may authorize a *discretionary review* development provided that the site with proposed improvements is *suited overall* for the proposed land use.

LRMP Policy 4.3.2

On *best prime farmland*, the County may authorize a *discretionary review* development provided the site with proposed improvements is *well-suited overall* for the proposed land use.

LRMP Policy 4.3.3

The County may authorize a *discretionary review* development provided that existing public services are adequate to support to the proposed development effectively and safely without undue public expense.

LRMP Policy 4.3.2

The County may authorize a *discretionary review* development provided that existing public infrastructure, together with proposed improvements, is adequate to support the proposed development effectively and safely without undue public expense.

Attachment B

Proposed Total Numbers of Potential Residential Lots and Limits on Conversion of Best Prime Farmland

The proposed limits are proportionate to the size of a tract as it existed on January 1, 1998, with an upper cap of 12 acres in total of BPF that could be converted to residential use (either by right or discretionary) on parcels 120 acres or larger.

Table B-1: Proposed Total Numbers of Potential Residential Lots and Limits on Conversion of Best Prime Farmland

Parcel Size ¹ (acres)	Proposed zoning amendment to implement LRMP Policies 4.1.5 and 4.1.6 (1 + 1 per 40 with cap of 2 By Right lots and limited RRO ² lots on BPF ²) to result in the following total numbers of potential residential lots and limits on BPF conversion:
10	1 lot by right, plus leftover acreage as a second lot, plus 2 potential RRO lots if approved 3 acres total is the maximum conversion of best prime farmland allowable
20	1 lot by right, plus leftover acreage as a second lot, plus 2 potential RRO lots if approved 3 acres total is the maximum conversion of best prime farmland allowable
30	1 lot by right, plus leftover acreage as a second lot, plus 2 potential RRO lots if approved 3 acres total is the maximum conversion of best prime farmland allowable
40	2 lots by right, plus leftover acreage as a third lot, plus 3 potential RRO lots ³ if approved 6 acres total is the maximum conversion of best prime farmland allowable
50	2 lots by right, plus leftover acreage as a third lot, plus 3 potential RRO lots ³ if approved 6 acres total is the maximum conversion of best prime farmland allowable
60	2 lots by right, plus leftover acreage as a third lot, plus 3 potential RRO lots ³ if approved 6 acres total is the maximum conversion of best prime farmland allowable
80	2 lots by right, plus leftover acreage as a third lot, plus 6 potential RRO lots ³ if approved 9 acres total is the maximum conversion of best prime farmland allowable
100	2 lots by right, plus leftover acreage as a third lot, plus 6 potential RRO lots ³ if approved 9 acres total is the maximum conversion of best prime farmland allowable
120	2 lots by right, plus leftover acreage as a third lot, plus 9 potential RRO lots ³ if approved 12 acres total is the maximum conversion of best prime farmland allowable
160	2 lots by right, plus leftover acreage as a third lot, plus 9 potential RRO lots ³ if approved 12 acres total is the maximum conversion of best prime farmland allowable

Table B-1 Notes:

1. Based on parcel configuration as of January 1, 1998.
2. RRO = Rural Residential Overlay District and BPF = Best Prime Farmland
3. When a new street is required on a parcel, the number of potential RRO lots on parcels 40 acres and greater would be reduced by at least one potential RRO lot.

Attachment C

Strikeout Version of Draft Zoning Ordinance Text Amendment

1. Add a definition for 'best prime farmland', 'suited overall', and 'well suited overall'..

3.0 Definitions

BEST PRIME FARMLAND: Soils identified in the Champaign County Land Evaluation and Site Assessment (LESA) System with a Relative Value of 85 or greater and tracts of land with mixed soils that have a LESA System Land Evaluation rating of 85 or greater.

SUITED OVERALL: A discretionary review performance standard to describe the site on which a development is proposed. A site may be found to be 'suited overall' if the site meets these criteria:

- the site features or site location will not detract from the proposed use;
- the site will not create a risk to the health, safety or property of the occupants, the neighbors or the general public;
- the site is not clearly inadequate in one respect even if it is acceptable in other respects;
- necessary infrastructure is in place or provided by the proposed development; and
- available public services are adequate to support the proposed development effectively and safely.

WELL SUITED OVERALL: A discretionary review performance standard to describe the site on which a development is proposed. A site may be found to be 'well-suited overall' if the site meets these criteria:

- the site is one on which the proposed development can be safely and soundly accommodated using simple engineering and common, easily maintained construction methods with no unacceptable negative affects on neighbors or the general public; and
- the site is reasonably well-suited in all respects and has no major defects.

2. Add new Subsection 5.4.3 with limits as outlined in LRMP Policy 4.1.6

5.4 Rural Residential OVERLAY Zoning DISTRICT

5.4.3 Limit on Amount of BEST PRIME FARMLAND Acres Converted

- A. On BEST PRIME FARMLAND, the County may authorize discretionary residential development subject to a limit on total acres converted which is generally proportionate to tract size and is based on the January 1, 1998 configuration of tracts, with the total amount of acreage converted to residential USE (inclusive of BY RIGHT development) not to exceed three acres, plus three acres per each additional 40 acres of PARCEL (including any existing RIGHT-OF-WAY), but not to exceed 12 acres in total.
- B. Any FARMSTEAD area shall not count towards the three acres per 40 acre limit.

3. Revise Subsection 5.4.4 to include factors described in LRMP Policies 4.3.1-4.3.4

5.4.3 4 Establishment of the Rural Residential OVERLAY Zoning DISTRICT

C. BOARD Findings

1. The BOARD shall make the following findings before forwarding a recommendation to the GOVERNING BODY with respect to a map amendment case to create a Rural Residential OVERLAY DISTRICT:
 - a. That the proposed site is or is not suitable for the development of the specified maximum number of residences.
 - b. That the proposed residential development will or will not be compatible with surrounding AGRICULTURE.
2. In making findings, the BOARD shall consider the following factors:
 - a. The adequacy and safety of roads providing access to the site and infrastructure (e.g., drainage systems, culverts, bridges) to support the proposed development;
 - b. Effects on nearby farmland and farm operations;
 - c. Effects of nearby farm operations on the proposed residential development;
 - d. The LESA score of the subject site;
 - e. Effects on drainage both upstream and downstream including road drainage facilities;
 - f. The suitability of the site for onsite subsurface soil absorption or surface discharge wastewater systems;
 - g. The availability of water supply to this site;
 - h. ~~The availability of emergency services to the site;~~ adequacy of available public services (i.e., police protection, fire protection, and emergency ambulance service) to support the proposed development;
 - i. The flood hazard status of the site;
 - j. ~~Effects on~~ The amount of disturbance to wetlands, historic or archeological sites, natural or scenic areas or wildlife habitat;
 - k. The presence of nearby natural or man-made hazards; and
 - l. The amount of land to be converted from agricultural USES versus the number of DWELLING UNITS to be accommodated.

4. *Add Special Use criteria to Subsection 9.1.11 that include the standards of LRMP Policies 4.3.1 - 4.3.4*

9.1.11 SPECIAL USES

B. SPECIAL USE Criteria

A SPECIAL USE Permit shall not be granted by the BOARD unless the public hearing record and written application demonstrate:

1. that it is necessary for the public convenience at that location;
2. that it is so designed, located, and proposed as to be operated so that it will not be injurious to the DISTRICT in which it shall be located or otherwise detrimental to the public welfare;
3. that the subject property is on BEST PRIME FARMLAND and the site with proposed improvements is WELL SUITED OVERALL for the proposed SPECIAL USE; or the subject property is on other than BEST PRIME FARMLAND and the site with proposed improvements is SUITED OVERALL for the proposed SPECIAL USE;
4. that existing public services are adequate to support the proposed SPECIAL USE effectively and safely without undue public expense;
5. that existing public infrastructure, together with proposed improvements, is adequate to support the proposed development effectively and safely without undue public expense;
- ~~3.~~ 6. that it conforms to the applicable regulations and standards of and preserves the essential character of the DISTRICT in which it shall be located, except where such regulations and standards are modified by Section 6.
- ~~4.~~ 7. that granting the SPECIAL USE is in harmony with the general purpose and intent of this ordinance.
- ~~5.~~ 8. that, in the case of an existing NONCONFORMING USE, it will make such USE more compatible with its surroundings.
- ~~6.~~ 9. approval of a SPECIAL USE Permit shall authorize USE, CONSTRUCTION and operation only in a manner that is fully consistent with all testimony and evidence submitted by the petitioner or petitioner's agent(s).

Date: September 27, 2010

To: Champaign County Board Committee of the Whole Members

From: Susan Monte, CCRPC Planner
John Hall, Director, Champaign County Department of Planning & Zoning

Regarding: Direction to Zoning Administrator Regarding Proposed Zoning Ordinance Text Amendment

Request: Conduct a Champaign County Zoning Ordinance Text Amendment implementing Objective 4.4 of the Land Resource Management Plan

This item was deferred from the September 7, 2010, Committee of the Whole meeting. The memo from that meeting is provided as an attachment.

If necessary due to the length of the current Agenda, the Committee could defer this item until the November 4, 2010, Committee of the Whole meeting.

Attachment: August 31, 2010 Memo regarding Direction to Zoning Administrator Regarding Proposed Zoning Ordinance Text Amendment

Date: August 31, 2010

To: Champaign County Board Committee of the Whole Members

From: Susan Monte, CCRPC Planner
John Hall, Director, Champaign County Department of Planning & Zoning

Regarding: Direction to Zoning Administrator Regarding Proposed Zoning Ordinance Text Amendment

Request: Conduct a Champaign County Zoning Ordinance Text Amendment implementing Objective 4.4 of the Land Resource Management Plan

Background

On April 22, 2010, the Board adopted the Champaign County Land Resource Management Plan (LRMP). On June 8, 2010, the Committee of the Whole approved the remaining FY 2010 planning contract work plan. The remaining FY 2010 work plan includes the task of amending the *Champaign County Zoning Ordinance* to include provisions of the following specific LRMP objectives and policies: Policies 4.1.5 and 4.1.6; Policy 4.1.9; Policies 4.3.1 - 4.3.4 and Objective 4.4.

This memorandum describes the proposed zoning text amendments intended to represent the changes to the Zoning Ordinance needed to implement LRMP Objective 4.4. If authorized by the Committee, the proposed zoning ordinance text amendments will proceed to public hearing review to be held by the ZBA.

<i>LRMP Objective 4.4</i>	<i>Brief Description</i>
	special use added to discretionary review for rural residential overlay

Attachment A includes the complete text of Objective 4.4, and text of the directly relevant LRMP Goal 4.

Specific Issues Related to Objective 4.4

State’s Attorney Review

The existing Rural Residential Overlay District (RRO) zoning provisions were found by the State’s Attorney to be potentially susceptible to legal challenges for the following reasons:

- 1) The existing RRO review procedure involves obtaining a zoning map amendment (a rezoning). The ability to impose conditions on a rezoning request is very limited. A condition of rezoning (conditional zoning) must be carefully constructed in order to be considered as valid. The validity of a condition is questionable in each of the following circumstances: if a condition is specific and not general; if there is nothing about a particular site that makes it uniquely suited to a residence; if there is not an overall public benefit to be gained; if the proposed zoning is inconsistent with a comprehensive plan; if it appears that the County is engaged in negotiations with a property owner for concessions in exchange for a zoning classification (e.g, contract zoning); or if a condition improperly delegates County zoning authority to a private party (e.g., if the property owner is required to enter into a restrictive covenant as a condition of RRO).

2) The existing RRO zoning provisions were found by the State's Attorney to be potentially susceptible to legal challenges because, over time, the RRO system of review may result in a pattern of land use which, if taken alone, could suggest that spot zoning is occurring. A special use review – either in lieu of or in conjunction with a rezoning – could more effectively assure that a residential subdivision is compatible with the surrounding area. For example, if a special use is granted to allow a residence, findings will have been made that the proposed residence is compatible with the surrounding land uses.

The limitations of the existing RRO zoning provisions outlined by the State's Attorney can be specifically addressed by proposing that a Special Use be required in addition to a rezoning. This additional special use requirement: 1) allows more flexibility in imposing standard or special conditions; 2) more effectively assures that proposed residential development is compatible with the surrounding area; 3) allows for clearly defining landowners rights at each stage of the approval process, and 4) facilitates a more streamlined approval process by limiting the cases that have to go to the County Board by meshing with the subdivision approval process.

County Board Special Use or ZBA Special Use

At the September 7 Committee of the Whole meeting, members will be asked to consider whether the Special Use to be required for a Rural Residential Development should be what is referred to as a "County Board Special Use" or a Special Use that can be approved by the ZBA.

Special Use Standard Conditions

Staff proposes certain standard conditions for a Special Use request for a Rural Residential Development. (Refer to Attachment C.) The standard conditions serve to alert the applicant to potential costs that may need to be incurred should specific site conditions warrant.

Attachments

- A Relevant Policies
- B Proposed Special Use Standard Conditions for a Rural Residential Overlay
- C Strike-Out Version of Draft Zoning Ordinance Text Amendment

Attachment A

Relevant Policies

LRMP Objective 4.4 is an objective under the LRMP Goal 4, as stated below:

LRMP Goal 4 Champaign County will protect the long term viability of agriculture in Champaign County and its land resource base.

LRMP Objective 4.4

Champaign County will update County regulations that pertain to *rural residential discretionary review* developments to best provide for site specific conditions by 2010.

Attachment B

Proposed Special Use Standard Conditions for a Rural Residential Development

The following proposed special use standard conditions address potential needs, only if they are applicable to the proposed Rural Residential Development:

1. Each residential LOT in the Rural Residential Development shall have at least one acre of buildable area that is not in the Special Flood Hazard Area.
2. More than two residential LOTS that are no larger than six acres in aggregate area shall front a new STREET that shall meet the standards of the relevant SUBDIVISION jurisdiction.
3. LOTS that front on and have access to existing STREETS shall have driveways co-located with other driveways as much as possible and each pair of co-located driveways shall not be closer than {600} feet to other driveways in the same Rural Residential Development that front existing STREETS.
4. Any DWELLING located more than {140} feet from a STREET shall have a minimum 20 feet wide driveway consisting of a minimum of six inches of gravel or similar all weather surface that shall be maintained with a vertical clearance of 13 feet six inches and with a minimum 20 feet by 40 feet turnaround area for emergency vehicles.
5. If so advised by the Illinois State Water Survey (ISWS) Center for Groundwater Science, the applicant shall contract the services of the ISWS to conduct or to provide a review the results of a recent groundwater investigation to determine if adequate groundwater resources exist on the site for the proposed RRO, without endangering groundwater availability for the existing neighboring residences.
6. If the proposed RRO is located in a 'high probability area' as defined as defined in the Illinois State Agency Historic Resources Preservation Act (20 ILCS 3420/), the applicant shall notify the Illinois State Historic Preservation Agency (ISHPA) to request information regarding whether the proposed site is a known cemetery or human burial site, and shall provide a copy of the ISHPA response.
7. If, upon notification regarding the proposed RRO, the Illinois Department of Natural Resources (IDNR) determines that potential adverse effects are possible to endangered or threatened species that may be present as a result of the proposed RRO and requests additional information about the proposed RRO, the applicant shall provide the additional requested information.

Attachment C

Strikeout Version of Draft Zoning Ordinance Text Amendment

1. *Revise Section 5.4.3 to establish requirement for a { County Board Special Use / Special Use } in addition to a rezoning for a Rural Residential Overlay District.*

5.4.3 4 Establishment of the Rural Residential OVERLAY Zoning DISTRICT

- A. The establishment of the Rural Residential OVERLAY Zoning DISTRICT is an amendment to the *Champaign County Zoning Ordinance* and shall be implemented in accord with the provisions of Subsection 9.2 as modified herein.
- B. A { County Board Special Use / Special Use } approval for a Rural Residential Development is also required and shall be implemented in accordance with the provisions of Subsection 9.1.11 as modified herein.
- C. The Rezoning Approval and Special Use Approval stages must occur concurrently.
- B. D. The adoption of Rural Residential OVERLAY Zoning shall augment the provisions of the underlying DISTRICT but shall not alter any requirement otherwise applicable to the tract of land except as provided by this section.
- € E. BOARD Findings

2. Add { County Board Special Use / Special Use } requirement for a Rural Residential Development Subdivision

Section 5.2 Table of Authorized Principal USES

Principal USES	Zoning DISTRICTS					Zoning DISTRICTS					I-1	I-2		
	CR	AG-1	AG-2	R-1	R-2	R-3	R-4	R-5	B-1	B-2			B-3	B-4
Residential Uses														
BOARDING HOUSE						S								
DWELLING, SINGLE FAMILY													7	
DWELLING, TWO-FAMILY			S	S	S									
DWELLING, MULTI-FAMILY														
Fraternity, Sorority, or Student Cooperative														
Dormitory														
Home for the aged			S											
NURSING HOME			S											
MANUFACTURED HOME PARK								S						
HOTEL - No more than 15 LODGING UNITS	S	S	S							S			S	
HOTEL - over 15 LODGING UNITS														
TRAVEL TRAILER Camp			S											
Residential PLANNED UNIT DEVELOPMENT		S	S	S	S	S	S	S						
MANUFACTURED HOME in MANUFACTURED HOME PARK														
<u>SUBDIVISION(S) of one lot from less than 40 acres or no more than two lots from 40 acres or greater totaling three LOTS or less</u>	9	9	9											
<u>SUBDIVISION(S) of more than one lot from less than 40 acres or more than two lots from 40 acres or greater totaling more than three LOTS or with new STREETS or PRIVATE ACCESSWAYS</u>	B ¹⁰	B ¹⁰	B ¹⁰											

3. Revise Footnote 10 in Section 5.2 as follows:

- No SUBDIVISION(S) of a PARCEL that existed on January 1, 1998, into more than one lot per PARCEL that is less than 40 acres in area or more than two lots per PARCEL that is 40 acres or greater in area or with new STREETS or PRIVATE ACCESSWAYS shall be created unless a Rural Residential OVERLAY DISTRICT has been created and a Rural Residential Development County Board Special Use Permit has been authorized.. See Section 5.4. No SUBDIVISION shall be created unless a Rural Residential OVERLAY DISTRICT has been created except as provided in Section 5.4.2

4. Add Special Use Standard Conditions for the category ‘Rural Residential Development County Board Special Use’

6.1.3 Schedule of Requirements and Standard Conditions

The numbers in parentheses within Table 6.1.3 indicate Footnotes at the conclusion of Table 6.1.3.

SPECIAL USES or USE Categories	Minimum Fencing Required ⁶	Minimum LOT Size		Maximum HEIGHT		Required YARDS (feet)					Explanatory or Special Provisions	
		AREA (Acres)	Width (feet)	Feet	Stories	Front Setback from STREET Centerline ²			SIDE	REAR		
						STREET Classification						
			MAJOR	COLLECTOR	MINOR							
Rural Residential Development County Board Special Use Permit	(1)	(1)	(1)	(1)	(1)	(1)	(1)	(1)	(1)	(1)	(1)	See below
<p>1. <u>Each residential LOT in the Rural Residential Development shall have at least one acre of buildable area that is not in the Special Flood Hazard Area.</u></p> <p>2. <u>More than two residential LOTS that are no larger than six acres in aggregate area shall front a new STREET that shall meet the standards of the relevant SUBDIVISION jurisdiction.</u></p> <p>3. <u>LOTS that front on and have access to existing STREETS shall have driveways co-located with other driveways as much as possible and each pair of co-located driveways shall not be closer than { 600 } feet to other driveways in the same Rural Residential Development that front existing STREETS.</u></p> <p>4. <u>Any DWELLING located more than {140 } feet from a STREET shall have a minimum 20 feet wide driveway consisting of a minimum of six inches of gravel or similar all weather surface that shall be maintained with a vertical clearance of 13 feet six inches and with a minimum 20 feet by 40 feet turnaround area for emergency vehicles.</u></p> <p>5. <u>If so advised by the Illinois State Water Survey (ISWS) Center for Groundwater Science, the applicant shall contract the services of the ISWS to conduct or to provide a review the results of a recent groundwater investigation to determine if adequate groundwater resources exist on the site for the proposed RRO, without endangering groundwater availability for the existing neighboring residences.</u></p> <p>6. <u>If the proposed RRO is located in a ‘high probability area’ as defined as defined in the Illinois State Agency Historic Resources Preservation Act (20 ILCS 3420/), the applicant shall notify the Illinois State Historic Preservation Agency (ISHPA) to request information regarding whether the proposed site is a known cemetery or human burial site, and shall provide a copy of the ISHPA response.</u></p> <p>7. <u>If, upon notification regarding the proposed RRO, the Illinois Department of Natural (IDNR) determines that potential adverse effects are possible to endangered or threatened species that may be present as a result of the proposed RRO and requests additional information about the proposed RRO, the applicant shall provide the additional requested information.</u></p>												

Champaign
County
Department of

**PLANNING &
ZONING**

TO: Champaign County Board Committee of the Whole
FROM: John Hall, Director & Zoning Administrator
DATE: August 30, 2010
RE: Changing the Zoning Ordinance Requirements for Coal Mining

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

(217) 384-3708

REQUESTED ACTION

This item was deferred from the August meeting.

Shortly after the August meeting the State's Attorney found an Attorney General's opinion stating there is no county jurisdiction over surface (including underground coal mining) mining. Unless the Attorney General issues a different opinion, the County has no jurisdiction over coal mining.

COURTHOUSE MASONRY STABILIZATION & RESTORATION PROJECT

Prepared By: E Boatz October 5, 2010

	ORIGINAL CONTRACT	CHANGE ORDERS	CONTRACT TOTAL	PAYMENTS THIS MONTH	PAYMENTS YEAR TO DATE	BALANCE TO FINISH
Original Project Budget	\$6,747,552.14					
Current Budget w/Change Orders	\$7,213,877.05					
<i>Architect Fees-White & Borgognoni</i>						
Basic Service	\$425,641.74			\$0.00	\$418,343.11	\$7,298.63
Amend #1-Option 4 Tower		\$43,425.00		\$0.00	\$42,740.15	\$684.85
Amend #2-Temp Cool/Jury Assembly		\$853.40		\$0.00	\$853.40	\$0.00
Amend #3-Tower Exit		\$6,221.74		\$0.00	\$6,221.74	\$0.00
Amend #4-Security Camera		\$4,130.73		\$0.00	\$4,130.73	\$0.00
Amend #5-Clk Face Stone;Lightning Prot		\$10,129.12		\$0.00	\$10,129.12	\$0.00
Amend #6-Bollard Security/Crthse Plaza		\$2,845.00		\$0.00	\$2,845.00	\$0.00
Amend#7-South Security; Energy Mod		\$23,388.00		\$0.00	\$23,388.00	\$0.00
Amend #8-Pathways & landscaping		\$11,738.20		\$0.00	\$11,738.20	\$0.00
Amend #9 - Emergency Masonry Repair		\$3,077.50		\$0.00	\$3,077.50	\$0.00
Amend #10 - Test/Balance Existing HVAC		\$2,143.05		\$0.00	\$2,143.05	\$0.00
Total Architect Fees	\$425,641.74	\$107,951.74	\$533,593.48	\$0.00	\$525,610.00	\$7,983.48
<i>Reimbursables-White & Borgognoni</i>						
Analysis/Testing; On-site Observation	\$98,092.72			\$0.00	\$86,657.53	\$11,435.19
Amendment #1 - Option 4 Tower		\$7,494.18	\$105,586.90			\$7,494.18
Miscellaneous Reimbursable Expenses	\$39,839.50			\$0.00	\$36,078.09	\$3,761.41
Amendment #1- Option 4 Tower		\$20,593.82	\$60,433.32	\$0.00	\$1,737.90	\$18,855.92
Total Reimbursable Expenses	\$137,932.22	\$28,088.00	\$166,020.22	\$0.00	\$124,473.52	\$41,546.70
<i>Building Const - Roessler Const</i>						
Existing Building	\$2,787,950.00	\$350,817.72	\$3,138,767.72	\$117,496.87	\$3,131,476.59	\$7,291.13
Tower	\$2,804,150.00	\$352,855.57	\$3,157,005.57	\$118,179.39	\$3,149,296.70	\$7,708.87
Owner Items			\$174,490.06	\$0.00	\$174,490.06	
Contingency	\$591,878.18	-\$111,795.11	\$0.00			\$0.00
Total Building Construction	\$6,183,978.18	\$703,673.29	\$6,470,263.35	\$235,676.26	\$6,455,263.35	\$15,000.00
<i>Additional Contracts</i>						
Todd Frahm - Gargoyles		\$44,000.00	\$44,000.00	\$0.00	\$44,000.00	\$0.00
Total Additional Contracts	\$0.00	\$44,000.00	\$44,000.00	\$0.00	\$44,000.00	\$0.00
PROJECT TOTAL	\$6,747,552.14	\$291,834.85	\$7,213,877.05	\$235,676.26	\$7,149,346.78	\$64,530.18

% of Project Paid to Date

99.11%

Physical Plant Monthly Expenditure Report
August, 2010

<u>EXPENDITURE ITEM</u>	<u>FY2009 YTD 8/31/2009</u>	<u>FY2009 ACTUAL 11/30/2009</u>	<u>FY2009 YTD as % of Actual</u>	<u>FY2010 ORIGINAL BUDGET</u>	<u>FY2010 BUDGET 8/31/2010</u>	<u>FY2010 YTD 8/31/2010</u>	<u>FY2010 YTD as % of Budget</u>	<u>FY2010 Remaining Balance</u>
Gas Service	\$339,914	\$410,906	82.72%	\$547,793	\$538,793	\$314,367	58.35%	\$224,426
Electric Service	\$564,899	\$879,648	64.22%	\$974,737	\$974,737	\$578,955	59.40%	\$395,782
Water Service	\$31,518	\$47,286	66.65%	\$57,000	\$57,000	\$39,845	69.90%	\$17,155
Sewer Service	\$23,544	\$41,186	57.17%	\$35,800	\$35,800	\$25,742	71.91%	\$10,058
All Other Services	\$188,456	\$261,866	71.97%	\$241,743	\$251,222	\$183,006	72.85%	\$68,216
Cths R & M	\$29,811	\$39,649	75.19%	\$30,113	\$36,258	\$32,641	90.02%	\$3,617
Downtown Jail R & M	\$29,078	\$52,714	55.16%	\$26,498	\$23,449	\$6,070	25.89%	\$17,379
Satellite Jail R & M	\$43,254	\$54,266	79.71%	\$27,342	\$25,342	\$24,206	95.52%	\$1,136
1905 R & M	\$11,282	\$13,601	82.95%	\$10,075	\$10,075	\$7,233	71.79%	\$2,842
Brookens R & M	\$21,800	\$27,275	79.92%	\$31,020	\$26,446	\$14,324	54.16%	\$12,122
JDC R & M	\$5,870	\$6,037	97.22%	\$11,366	\$10,743	\$3,434	31.97%	\$7,309
1701 E Main R & M	\$23,287	\$26,980	86.31%	\$45,000	\$38,030	\$12,080	31.76%	\$25,950
Other Buildings R & M	\$3,084	\$13,676	22.55%	\$7,520	\$14,189	\$8,176	57.62%	\$6,013
Commodities	\$62,528	\$69,679	89.74%	\$64,207	\$64,603	\$50,057	77.48%	\$14,546
Gas & Oil	\$4,476	\$6,369	70.27%	\$10,810	\$10,597	\$5,558	52.45%	\$5,039
1701 - South Garage Remodel	\$106,917	\$108,755	98.31%	\$0	\$5,299	\$16	0.31%	\$5,283
Totals	\$1,489,717	\$2,059,894		\$2,121,024	\$2,122,583	\$1,305,709		\$816,874

Prepared by:
Ranae Wolken
9/27/2010

This report does not include information on personnel, intergovernmental loans and capital projects.

Electric Utilities - FY2010

Period	Courthouse	204 E Main	502 S Lierman	JDC	1905 E Main	1701 E Main Rear EMA/METCAD	Nite Lite	Brookens	ITC	1705 E Main North Garage	1705 E Main South Garage	Monthly Totals
December	\$15,098.34	\$7,346.38	\$8,776.98	\$4,351.68	\$4,371.47	\$149.44	\$254.17	\$5,172.19	\$7,225.78	\$80.68	\$117.27	\$52,944.38
January	\$15,939.57	\$6,879.57	\$9,520.51	\$4,741.26	\$5,302.29	\$154.44	\$248.64	\$6,972.73	\$7,481.97	\$65.21	\$144.95	\$57,451.14
February	\$14,835.64	\$6,674.54	\$8,309.10	\$4,067.02	\$4,387.50	\$130.23	\$243.57	\$9,124.23	\$6,340.91	\$60.75	\$112.50	\$54,112.74
March	\$17,583.26	\$6,710.69	\$9,004.40	\$3,706.08	\$4,346.92	\$123.51	\$229.13	\$8,746.31	\$5,803.86	\$54.55	\$99.70	\$56,254.16
April	\$23,488.94	\$7,296.74	\$11,944.26	\$4,369.40	\$5,070.46	\$116.15	\$221.00	\$12,493.38	\$6,896.33	\$53.44	\$71.23	\$71,896.66
May	\$27,073.52	\$7,532.80	\$12,503.10	\$4,569.01	\$5,579.12	\$121.83	\$185.31	\$13,429.61	\$7,101.37	\$49.94	\$56.74	\$78,095.67
June	\$38,668.52	\$8,384.98	\$17,146.48	\$5,749.11	\$7,699.49	\$167.92	\$168.87	\$17,095.94	\$9,852.03	\$55.17	\$83.95	\$104,933.34
July	\$32,804.74	\$9,479.04	\$17,331.22	\$6,367.64	\$8,419.67	\$127.05	\$167.07	\$15,816.22	\$8,358.64	\$65.32	\$67.15	\$99,003.76
August	\$31,854.54	\$9,190.76	\$17,338.30	\$5,477.36	\$7,109.60	\$119.20	\$168.26	\$16,914.62	\$8,330.34	\$67.82	\$57.15	\$96,627.95
September												\$0.00
October												\$0.00
November												\$0.00
Total to Date	\$217,347.07	\$69,495.50	\$111,874.35	\$43,398.56	\$52,286.52	\$1,209.77	\$1,886.02	\$105,765.23	\$67,391.23	\$552.88	\$810.64	\$672,017.77

Prepared by Ranae Wolken
9/27/2010

Denotes billing from Integrys

Gas Utilities - FY2010

Period	Courthouse	204 E Main	502 S Lierman	JDC	1905 E Main	1701 E Main Rear EMA/METCAD	Brookens	ITC	1705 E Main North Garage	1705 E Main South Garage	Monthly Totals
December	\$12,146.91	\$2,768.92	\$7,849.04	\$2,036.89	\$1,370.26	\$366.53	\$3,500.41	\$14,358.77	\$376.97	\$164.02	\$44,938.72
January	\$17,577.70	\$3,790.73	\$12,163.62	\$3,198.80	\$1,808.75	\$648.46	\$6,322.46	\$23,179.19	\$583.06	\$1,151.07	\$70,423.84
February	\$17,116.01	\$3,649.78	\$10,514.45	\$2,874.68	\$1,654.72	\$464.97	\$5,531.14	\$18,285.82	\$561.63	\$954.72	\$61,607.92
March	\$13,817.44	\$2,654.20	\$7,097.29	\$1,523.73	\$1,433.01	\$275.89	\$3,170.57	\$17,035.11	\$372.23	\$572.40	\$47,951.87
April	\$12,963.80	\$682.47	\$8,195.81	\$863.02	\$1,561.30	\$132.35	\$2,511.79	\$5,361.76	\$194.05	\$214.00	\$32,272.30
May	\$12,432.92	\$445.10	\$6,370.42	\$568.45	\$1,295.86	\$85.57	\$1,438.75	\$343.34	\$77.37	\$99.48	\$23,157.26
June	\$9,198.57	\$360.55	\$3,426.04	\$178.37	\$1,229.67	\$77.66	\$581.15	\$317.61	\$65.57	\$81.71	\$15,516.90
July	\$8,579.18	\$356.24	\$3,492.70	\$151.65	\$1,266.61	\$77.33	\$143.81	\$316.25	\$65.57	\$80.48	\$14,529.82
August - Ameren	\$3,894.10	\$158.66	\$1,359.72	\$28.77	\$407.76	\$90.83	\$76.87	\$367.50	\$87.74	\$94.08	\$6,566.03
August - Integrys	\$5,555.33	\$243.98	\$2,440.06	\$56.74	\$829.61	\$8.52		\$39.71		\$10.79	\$9,184.74
September - Ameren											\$0.00
September - Integrys											\$0.00
October - Ameren											\$0.00
October - Integrys											\$0.00
November - Ameren											\$0.00
November - Integrys											\$0.00
Total to date	\$113,281.96	\$15,110.63	\$62,909.15	\$11,481.10	\$12,857.55	\$2,228.11	\$23,276.95	\$79,605.06	\$2,384.19	\$3,422.75	\$326,557.45

Prepared by Ranae Wolken
9/27/2010

Building/Grounds Maintenance work hour comparison

FY2010

Weekly Period	Repair & Maintenance	Scheduled Maintenance	Nursing Home	Special Project	Grounds Maintenance	Other Tenants	TOTAL
11/29/09-12/5/09	384.00	2.00	0.00	17.00	0.00	0.00	403.00
12/6/09-12/12/09	342.00	0.00	0.00	48.00	14.50	0.00	404.50
12/13/09-12/19/09	268.75	0.00	0.00	113.00	0.50	0.00	382.25
12/20/09-12/26/09**	197.50	0.00	5.00	15.00	37.25	0.00	254.75
12/27/09-1/2/10*	202.50	0.00	5.00	0.00	87.25	0.00	294.75
1/3/10-1/9/10	284.75	0.00	3.25	0.00	151.25	0.00	439.25
1/10/10-1/16/10	304.75	0.00	2.00	36.50	19.50	4.50	367.25
1/17/10-1/23/10*	212.75	0.00	5.00	0.00	47.50	15.00	280.25
1/24/10-1/30/10	342.75	23.00	9.50	0.00	24.00	0.00	399.25
1/31/10-2/6/10	309.75	0.00	1.75	0.00	39.50	0.00	351.00
2/7/10-2/13/10	324.75	0.00	5.00	2.00	101.25	2.00	435.00
2/14/10-2/20/10*	234.25	0.00	1.75	0.00	59.00	10.50	305.50
2/21/10-2/27/10	298.25	14.00	0.00	0.00	50.75	7.50	370.50
2/28/10-3/6/10	288.50	77.75	0.00	0.00	30.00	0.00	396.25
3/7/10-3/13/10	345.00	0.00	0.00	0.00	43.00	25.00	413.00
3/14/10-3/20/10	270.00	34.00	4.50	22.75	45.50	7.00	383.75
3/21/10-3/27/10	285.00	40.00	0.00	0.00	74.00	0.00	399.00
3/28/10-4/3/10*	210.00	39.25	0.00	7.75	52.25	18.50	327.75
4/4/10-4/10/10	287.00	44.50	0.00	5.00	66.00	7.25	409.75
4/11/10-4/17/10	205.75	46.00	3.00	0.00	51.50	0.00	306.25
4/18/10-4/24/10	258.50	0.00	0.00	72.00	71.50	0.00	402.00
4/25/10-5/1/10	266.75	0.00	0.00	48.00	74.25	0.00	389.00
5/2/10-5/8/10	202.75	0.00	3.25	80.00	68.75	0.00	354.75
5/9/10-5/15/10	261.50	0.00	0.00	71.50	70.50	0.00	403.50
5/16/10-5/22/10	296.50	0.00	3.00	18.00	55.50	0.00	373.00
5/23/10-5/29/10	260.50	0.00	3.50	12.00	68.00	0.00	344.00
5/30/10-6/5/10*	247.00	0.00	15.00	0.00	52.50	0.00	314.50
6/6/10-6/12/10	312.75	0.00	4.50	0.00	59.50	0.00	376.75
6/13/10-6/19/10	342.75	0.00	9.00	0.00	67.50	0.00	419.25
6/20/10-6/26/10	265.75	16.00	3.00	0.00	67.50	0.00	352.25
6/27/10-7/3/10	292.00	25.00	1.50	0.00	59.00	0.00	377.50
7/4/10-7/10/10*	231.25	0.00	0.00	0.00	45.00	0.00	276.25
7/11/10-7/17/10	209.75	0.00	8.75	40.00	74.25	2.00	334.75
7/18/10-7/24/10	276.25	20.00	2.00	31.50	44.50	0.00	374.25
7/25/10-7/31/10	321.50	0.00	0.00	0.00	60.00	0.00	381.50
8/1/10-8/7/10	256.75	0.00	0.00	35.50	67.50	0.00	359.75
8/8/10-8/14/10	239.75	4.50	10.25	0.00	67.50	0.00	322.00

Building/Grounds Maintenance work hour comparison

FY2010

8/15/10-8/21/10	272.25	19.50	16.00	0.00	69.25	0.00	377.00
8/22/10-8/28/10	179.00	52.50	38.25	0.00	57.50	0.00	327.25
8/29/10-9/4/10	211.75	70.50	33.00	0.00	66.00	0.00	381.25
9/5/10-9/11/10*	189.75	24.50	5.50	0.00	55.50	0.00	275.25
9/12/10-9/18/10	234.00	22.50	0.00	0.00	69.75	0.00	326.25

*week includes a holiday

One work week: 435.00 hours with regular staff

There are currently 195.63 comp time hours available to the maintenance staff

Total comp time hours earned in FY10 to date- 2629.22

Total spent to date on overtime in FY09 - \$1,616.47 (Original Budgeted Amount - \$3,000)

Prepared by: Ranae Wolken
9/27/2010



ADMINISTRATIVE OFFICES

1776 East Washington Street
Urbana, IL 61802

Phone 217.328.3313

Fax 217.328.2426

www.ccrpc.org

September 2, 2010

Mr. Alan Reinhart
Champaign County Facilities Director
1776 E Washington
Urbana, IL 61802

Dear Mr. Reinhart:

Thank you for submitting an application to the Energy Efficiency and Conservation Block Grant program. CCRPC has been allocated \$944,862 by the State to distribute among Champaign, DeWitt, Douglas, Ford, Iroquois, Livingston, Piatt, and Vermilion counties. Twenty-five applications from 15 government agencies in seven counties were received. Funding requests totaled \$1,576,812.

The purpose of this letter is to notify you that your application for Brookens Center Lighting Upgrades in the amount \$60,924.00 has been approved for funding. In the near future, you will receive information on a contract and how to proceed with your project. Any expenses for this project incurred prior to having an approved contract will not be reimbursed.

We look forward to working with you on this project and are here to help. Susan Chavarria is our staff member administering these funds; her email is schavarr@ccrpc.org. Please do not hesitate to contact her or me with any questions or concerns.

Sincerely,

Cameron Moore, CEO
Champaign County Regional Planning Commission
cmoore@ccrpc.org

Building the Future...Together!

Update for the Champaign County Board on ILEAS Activity Former Champaign County Nursing Home at 1701 E. Main Street

History

- The original lease between ILEAS and Champaign County started on September 1, 2007.
- Remodeling construction started in November 2007 and ended when ILEAS moved in in June 2008.
- The facility is now known as the ILEAS Training Center.
- 36,000 square feet of the 122,000 square feet of space was remodeled.
- The remaining area has been cleaned up and maintained for tactical and scenario-based training.

Activity

The following is a report of the activity at the Training Center:

Year	Events	Attendees	Comments
2008	64	1,800	From June to December = 300/month average
2009	140	3,800	Full year = 317/month average
2010	196	4,200	From January to August = 525/month average
2011	26	675	(already scheduled events out thru December 2011)

Sub-Leases

ILEAS has engaged in the following sub-leases:

1. Urbana Fraternal Order of Police
2. Urbana Firefighters Association
3. Louisiana State University
4. Department of Defense/Adayana
5. Carle Foundation Hospital
6. Illinois Medical Emergency Response Team
7. Illinois Emergency Services Management Association

Subscription Services

ILEAS has reached agreements with the following organizations for annual subscription agreements. A subscription agreement allows the organization to schedule any number of events at the Training Center without paying the per-event rental (?) fee.

- | | |
|---|---|
| <ul style="list-style-type: none"> • Urbana Police/Fire Departments • University of Illinois Police • Champaign Police | <ul style="list-style-type: none"> • Champaign County Sheriff • Federal Probation • S'Villeco (Food Service Sanitation Training) |
|---|---|

Equipment Storage

ILEAS has become a "node" for storage of emergency supplies and equipment. There has been nearly \$15-\$20 million worth of supplies and equipment pass through ILEAS since 2008.

Future

ILEAS has engaged architects and engineers to complete a feasibility study on remodeling the remaining two wings in the 1971 addition (Wings B and C) and is currently in the process of acquiring \$400,000 in funds to install a new more capable generator.

ILEAS is also currently installing an additional fiber data line directly from the Training Center to the Internet that bypasses the Champaign County campus fiber, thereby reducing data traffic congestion on Champaign County's internal network due to ILEAS' increased activity. The Training Center has also been designated as an Anchor Institution for the Urbana/Champaign Big Broadband (UC2B) project.

ILEAS Training Center Activity - 2008

Training & Meetings Completed

April 14-18	WMD Tactical Operations
June 16-17	Respiratory Protection
June 17	SRT Team Leader meeting
June 20	Avon Mask Train-the-Trainer
June 26	ILEAS Board Meeting and Open House
June 30-July 2	Mobile Field Force Basic Course
June 26	ILEAS Board Meeting / Law Enforcement Open House
July 1	Champaign County Convention & Visitors Bureau meeting
July 9-11	Surveillance Detection (Law Enforcement)
July 10	Champaign County Chiefs meeting
July 10	Illinois Public Works Mutual Aid Network meeting
July 12	Open House (Champaign County Officials)
July 14-16	Surveillance Detection (Security)
July 15	Mobile Field Force Team Leader meeting
July 23	ITTF Training Committee meeting
July 29 & 30	Champaign County Excited Delirium training
August 5	Chem-Pack Workshop
August 12	Champaign County Excited Delirium training
August 12	Regional Emergency Coordination Group meeting
August 14	Champaign County Chiefs' meeting
August 19	SRT Team Leader meeting
September 4	ASIS Central Illinois Chapter meeting
September 8-9	Advanced Vehicle Contraband Concealment
September 9-11	WMD Tactical Commanders Course
September 11	INENA/APCO meeting
September 15	Urbana Fire Department meeting
September 16	Mobile Field Force Team Leader meeting
September 19	ILTERT meeting
September 24	IESMA meeting
September 25	ILEAS Board meeting
Sept. 30-Oct. 2	Emergency Response to Domestic Biological Incidents
October 6	Less Lethal Refresher Course
October 13-17	Verbal Judo Train-the-Trainer
October 21-23	Detection Equipment for Law Enforcement (DELE) Course
October 21	SRT Team Leader meeting
October 22	Dimond Brothers insurance meeting
October 24	Awareness and Response to Biological Events
October 27	Preparing Communities for Agroterrorism
October 28-30	Public Safety WMD Response – Sampling Techniques and Guidelines
October 28-30	Threat and Risk Assessment
November 3-7	WMD Advanced Tactical Operations
November 7	Probation & Court Services Conference
November 12	Dimond Brothers Insurance meeting
November 14	Urbana Public Works meeting
November 18-20	Preparedness and Response to Agricultural Terrorism
December 1-5	WMD Tactical Operations Course
December 2	Mobile Field Force Team Leader meeting
December 10	ITTF meeting
December 10-11	Patriot Maintenance Course
December 11	Chem-Pak II Workshop
December 15-16	HSEEP Workshop
December 16	SRT Team Leader meeting
December 16-18	WMD Tactical Commanders Course
December 17	Rapid Recognition Training

ILEAS Training Center Activity - 2009

Training & Meetings Completed

January 8	Robot training for EOD teams
January 13	METRO SWAT training

January 15	Children's Advocacy Center training
January 24	IMERT Team Refresher
January 29	EOD Team Commander Meeting
January 30	IJOA Conference Committee Meeting
February 6-7	IESMA Meeting
February 9	ScanX training
February 10	Mobile Field Force Team Leader Meeting
February 12	IMERT/INVENT team demo
February 17	SRT Team Leader Meeting
February 17-19	Instructor Development Workshop
February 21	IMERT/INVENT team demo
February 25	HazMat Instructor Train-the-Trainer
February 25	Region 13 800 MHz Committee Meeting
February 26	IDPH Second Life Training
February 26	IL Coroners' Association Executive Board Meeting
March 5	Storm Spotters Training
March 18	Children's Advocacy Center Training
March 19	Champaign PD SWAT training
March 21	IMERT/INVENT Team Refresher
March 26-27	PRD Pilot Deployment Training
March 26	EOD Team Commander Meeting
March 30	TEMS Summit
March 30	ITOA Patrol Tactics Course
March 31-April 1	Enhanced Threat and Risk Assessment
April 2	Senior Police Academy
April 2-3	Behavior Threat and Risk Assessment Teams for Higher Education
April 6-10	WMD Tactical Operations Course
April 9	Senior Police Academy
April 13-14	Unified Command Post/ITECS Training
April 14-16	Remotic Robot Maintenance training
April 16	Senior Police Academy
April 17-18	IMERT/INVENT Team training
April 21	Mobile Field Force Team Leader Meeting
April 21-22	Behavior Threat and Risk Assessment Teams for Higher Education
April 23	City of Urbana Meeting
April 23	Senior Police Academy
April 28-May 1	DefTec Instructor Certification Program
April 30	Senior Police Academy
May 2-3	IMERT/INVENT Team training
May 7	Senior Police Academy
May 8	MTU 12 – The Bulletproof Mind
May 11-13	Prevention First Training
May 13	East Central IL Volunteerism Conference Committee Meeting
May 14	Senior Police Academy
May 16	IMERT/INVENT Deployment Operation Course
May 19	SRT Team Leader Meeting
May 21	EOD Team Commander Meeting
May 21	Senior Police Academy
May 28	Senior Police Academy Graduation
May 28	ILEAS Governing Board Meeting
June 9-10	Sport Event Risk Management Workshop
June 11	Verizon Regional Wireless Data Symposium
June 12	UASI/Cook County Meeting
June 15-17	Detection Equipment for Law Enforcement (DELE) Course
June 16	MTU 12 – Legal and Critical Tasks for Patrol Officers

ILEAS Training Center Activity - 2009 Training & Meetings Completed

June 16	Urbana PD computer training
June 16	Mobile Field Force Team Leader Meeting
June 17-19	Detection Equipment for Law Enforcement (DELE) Course
June 18	Portacourt Training

June 18	Urbana PD computer training
June 22	IL-APCO seminar
June 24	Adam Walsh Act and Expungement Training
June 25	CPD computer training
July 1	CPD computer training
July 1	IEMMAS Meeting
July 7	METRO SWAT training
July 7	Foth Brownfield Workshop
July 10	Champaign County SO CPR training
July 14	IECGP Meeting
July 16-17	IL-IMT training
July 20	MTU 12 – Highway Serial Killing Initiative training
July 27-30	Urbana FD testing/Meetings
July 28	SRT Team Leader Meeting
July 30	EOD Team Commander Meeting
August 4	Champaign County Convention & Visitors Bureau monthly Meeting
August 4-5	Target Psychology: Understanding the Terrorist Mindset
August 6-7	National Level Exercise 2011 Planning Meeting
August 10-11	Urbana FD training/Meetings
August 11-12	Executive Seminar
August 13	Champaign County SO computer training
August 18	Mobile Field Force Team Leader Meeting
August 18	METRO SWAT training
August 20	Champaign County SO computer training
August 26	Preparing Communities for Agroterrorism
August 27	Champaign County SO computer training
September 1-3	Transit Terrorist Tools and Tactics (T4) Course
September 1	V.A. Presentation for Champaign County SO
September 10	INENA/APCO General Membership Meeting
September 15	SRT Team Leader Meeting
September 15-17	WMD Radiological/Nuclear Responder Operations Course
September 17	Champaign PD computer training
September 21-25	WMD Advanced Tactical Operations Course
September 28	ITOA Fall K9 Training
September 28	Mass Casualty Training – Serving People With Disabilities
September 29	Mass Casualty Training – Shelter Ops and Shelter Simulations
September 29	Champaign County Interdepartmental Support Services Conference
September 30	MTU 12 – Child Abuse Injury Reconstruction & Death Investigation
October 1-2	Grant Writing USA workshop
October 6-8	WMD Tactical Commander Course
October 8	Mass Casualty Training – First Aid/CPR
October 9	Mass Casualty Training – Psychological First Aid
October 13	ITOA Fall FTX
October 14	Initial Law Enforcement Response to Suicide Bombing Attacks
October 15	Initial Law Enforcement Response to Suicide Bombing Attacks
October 19-23	MTU 12 – Blood Stain Pattern Analysis
October 19-20	Advanced Vehicle Contraband Concealment
October 20	Mobile Field Force Team Leader Meeting
October 27-29	Public Safety WMD Response – Sampling Techniques and Guidelines
November 2-13	MCTC Basic Narcotics Course
November 3-5	WMD Threat and Risk Assessment
November 13-14	IMERT/INVENT training
November 17	Champaign County Coroner's Orientation training
November 17	SRT Team Leader Meeting
November 18	Pursuit Driving Policy Workshop
December 15	Mobile Field Force Team Leader Meeting

ILEAS Training Center Activity - 2010

Training & Meetings Completed

January 4-5	MTU 12 – Cell Phone Technology for Criminal Investigations
January 9	IMERT/INVENT training
January 11-13	MTU 12 – Street Crimes Seminar

January 12	LMS training
January 13-14	CPD SWAT training
January 20-21	Problem Oriented Policing
January 20-22	Criminal Interdiction Training Seminar
February 1-5	MTU 12 – Field Training Officer
February 3	LMS training
February 16-17	Report Writing for Police Officers
February 16-18	Report Writing for Supervisors and FTO's
February 27-28	ICS 300
March 6-7	ICS 400
March 8-12	WMD/IED Electronics Course
April 1-May 27	Senior Police Academy
April 12-16	WMD Tactical Operations Course
April 12-16	MTU 12 – Leadership and Mastering Performance Management
April 12	Sanitation Training
April 14	Sanitation Training
April 14	Urbana Firefighter Meeting
April 15	U.S. Probation Training
April 15	Urbana Firefighter Meeting
April 16	IMERT/INVENT training
April 19	Sanitation Training
April 19	WMD SRT Team Leader Meeting
April 20	Champaign County Chiefs Meeting
April 20	Urbana Firefighter Honor Guard Training
April 27	Carle Hospital Meeting
April 27	Dimond Brothers Insurance Training
April 27-29	ILEEI Supervision Course
April 28	Adayana Company Meeting
April 29	ILEAS Governing Board Meeting
April 29	Senior Police Academy
April 29-30	ITECS/UCP Team Meeting
April 30	ILTERT Training
May 3-7	Champaign PD Defensive Tactics Training
May 4	StarCom21 Training
May 4-5	Supporting Children Living with Grief and Trauma Workshop
May 5	Urbana Firefighters Meeting
May 5	IESMA meeting
May 6	Senior Police Academy
May 6	METRO SWAT Meeting
May 10	Sanitation Training
May 10-11	Remotec EOD Robot Maintenance Training
May 11	Adayana Meeting
May 11	IESMA Meeting
May 12	Sanitation Training
May 12	MFF Training Committee Meeting
May 12	Urbana Firefighter Meeting
May 12-13	Remotec EOD Robot Maintenance Training
May 13	Champaign County Chiefs Meeting
May 13	Senior Police Academy
May 15	IMERT/INVENT Training
May 17	Sanitation Training
May 18-19	MTU 12 – Team Tactics for Patrol
May 18-19	IL-IMT Team Meeting/Training
May 18-19	Adayana Meeting
May 20	ITOA Spring FTX
May 24	Emergency Management Committee Meeting
May 25	Urbana PD Defensive Tactics Training
May 26	U.S. Probation Training
May 27	Senior Police Academy Graduation Ceremony
May 27	ILEAS Governing Board Meeting
May 27	Urbana PD Defensive Tactics Training
May 28	METRO SWAT Meeting
June 1-3	WMD Threat and Risk Assessment

June 1-3	RPC "Academy"
June 1	U of I PD Training
June 8	U of I PD Training
June 8	LaserShot Demo
June 8	Urbana Firefighter Meeting
June 10-11	Taser Instructor Course
June 10	Champaign County Chiefs Meeting
June 11	IESMA Meeting
June 11	Ti Training Demo
June 14-18	MTU 12 – NTOA SWAT Course
June 14	Sanitation Training
June 14	IEMA Meeting
June 15	WMD SRT Team Commanders' Meeting
June 15	Avon Mask Training
June 15	Urbana PD Training
June 15	Adayana Meeting
June 16	Sanitation Training
June 16	RPC Computer Training
June 16-18	CPD Bullet Trajectory Training
June 17	Urbana PD Training
June 21-25	ISP Rapid Response/Crowd Control Training
June 21	Sanitation Training Testing
June 22	METRO SWAT Training
June 24	Champaign PD SWAT Training
June 24	Youth Police Academy Graduation
June 24	ITTF Training Sub-Committee Meeting
June 25	Urbana PD K9 Training
July 1	ILEAS All-Staff Meeting
July 6	MFF Team Commanders' Meeting
July 7	Urbana Firefighters Meeting
July 8	Champaign County Chiefs Meeting
July 12	Sanitation Training
July 12-15	Youth Police Academy Training
July 13-14	Carle EKG 12 Lead Refresher
July 14	Sanitation Training
July 19-22	ICLEAR/ICASE Training
July 19	Sanitation Training Testing
July 19	MTU 12 – Rapid Medical Response
July 21	Champaign County EMA Training
July 29	EOD Team Commanders' Meeting
July 29	Urbana PD K9 Training
July 29	Crimestoppers Annual Meeting
August 3	Urbana Firefighters Meeting
August 4	EOC Technology Grant Workshop
August 6	ILEAS All-Staff Meeting
August 6	5.11 Demo/Customer Appreciation Event
August 12	Officer Survival of Aggressive and Dangerous Dogs
August 12	IGFOA Meeting
August 12	Champaign County Chiefs Meeting
August 16	Sanitation Training
August 16	MTU 12 – Rapid Medical Response
August 17	SRT Team Leader Meeting
August 18	800 MHz Planning Meeting
August 18	Sanitation Training
August 19	IEMA Exercise Planning Committee Meeting
August 19	Normal ERU Team Training
August 23	Medical Tactics for Law Enforcement
August 23	Sanitation Training Testing
August 23-25	Urbana PD Software Training
August 26	ILEAS Governing Board Meeting
August 30	Probation Meeting
September 1	UIPD Rapid Response Training
September 2	ILEAS All-Staff Meeting

September 7	Mobile Field Force Team Commanders' Meeting
September 8	Urbana Firefighters Meeting
September 9	ILEAS MDC Grant Recipients Workshop
September 9	Champaign County Chiefs' Meeting
September 10	Urbana PD K9 Training
September 13-17	Emergency Dispatch Training
September 13	Sanitation Training
September 14	ILEAS MDC Grant Recipients Workshop
September 15	Sanitation Training
September 20	Sanitation Certification testing
September 21	Regional Emergency Coordination Group Meeting
September 23-24	ITECS/UCP Meeting
September 25	Urbana PD Police Officer Testing
September 28	Behavioral Threat Assessment Team Training
September 28	EOD Team Commanders' Meeting
September 29-30	Undercover Surveillance & Operational Planning
September 29	Heyl Royster Governmental Planning Seminar
September 29	MTU 12 - Rapid Medical Response
October 4-6	APCO Training
October 4-7	Police Resource Management
October 5	Urbana Firefighters Meeting

Upcoming Training & Meeting Highlights – 2010

October 7	ILEAS All-Staff Meeting
October 11-15	WMD Tactical Operations
October 11	BW Gas Meter Maintenance
October 12-15	Champaign County Election Judge Training
October 14-15	IESMA Meeting
October 14	ILEAS Governing Board Meeting
October 14	Champaign County Chiefs' Meeting
October 18	Sanitation Training
October 18-20	MTU 12 – Criminal Interview & Interrogation Techniques
October 19	SRT Team Leader Meeting
October 20	Sanitation Training
October 20	Damage Assessment Training
October 21	Debris Management Training
October 22	Urbana Public Works Meeting
October 25-27	MTU 12 – Fingerprint Development & Recovery Techniques
October 25	Sanitation Training Testing
October 26-28	Report Writing Courses
November 2	MFF Meeting
November 2	Urbana Firefighters Meeting
November 4	ILEAS All-Staff Meeting
November 12	Urbana FD Meeting
November 14	AIA Act 20 Training
November 15	Urbana FD Meeting
November 16-17	Public Information in WMD/Terrorism Incidents
November 16-18	Urbana FD Testing
November 17	MTU 12 – Hindi Duty Belt Safety & Survival
November 18	IADCP Association Meeting
November 22	Sanitation Training
November 23	MTU 12 – Rapid Medical Response
November 24	Sanitation Training
November 29	Sanitation Training Testing
December 2-3	IESMA Meeting
December 2	ILEAS All-Staff Meeting
December 6-10	Instructor Development Program for Public Safety
December 6	Rapid Medical Response
December 7	Coles County CRT Training
December 7	Urbana Firefighters Meeting
December 9	ILEAS Governing Board Meeting
December 10	Urbana FD Testing
December 13-15	DUI Detection & Field Sobriety Testing

December 13	Sanitation Training
December 15-16	Enhanced Threat & Risk Assessment
December 15	Sanitation Training
December 20	Sanitation Training Testing
December 21	SRT Team Commanders' Meeting

Upcoming Training & Meeting Highlights - 2011

January 4	MFF Meeting
January 12	Heyl Royster Governmental Planning Seminar
February 8-9	Best Practices Grant Writing for Public Safety Agencies
February 10-11	IESMA Meeting
February 10-11	Grants Management Training
February 15	SRT Meeting
March 1	MFF Meeting
March 6-8	ILEAS Conference in Springfield
March 15-17	Tactical Planning for WMD Incidents
March 29-31	Radiological/Nuclear Responder Operations
March 30-31	Threat & Risk Assessment
April 1	Animal Cruelty Awareness
April 4-8	MTU 12 – Crisis Intervention Team (CIT) Course
April 11-15	WMD Advanced Tactical Operations
April 19	SRT Meeting
April 26	MTU 12 – The Bulletproof Mind
May 3	MFF Meeting
May 10-13	MTU 12 – Basic Tactics for Warrants
June 2-3	Use of Force Against Dangerous Animals
June 21	SRT Meeting
July 5	MFF Meeting
August 16	SRT Meeting
September 6	MFF Meeting
October 18	SRT Meeting
November 1	MFF Meeting
December 20	SRT Meeting

Additional Training Conducted Offsite

ILEAS Basic SWAT Course	Libertyville
Region 2 Mobile Field Force Assessment/Validation Exercise	Rockford
Bearcat Armored Vehicle Course	Springfield
SWAT Supervision	Glenview
Mobile Field Force Basic	Joliet
ILEAS Basic WMD Equipment Course	Downers Grove
Less Lethal Instructor Course	Kankakee
Close Protection Course	Springfield
Center for Domestic Preparedness (Various SRT & MFF Classes)	Anniston, Alabama
Energetic Materials Research & Testing Center (Various SRT Classes)	Socorro, New Mexico
Counter Terrorism Operations Support Program (Various SRT Classes)	Las Vegas, Nevada
Region 2 Basic SWAT Refresher	Lake Cormorant, Mississippi

WMD Special Response Team Assessment/Validation Exercises

WMD Special Response Team Assessment/Validation Exercises

January 8/9, 2010	NIPAS	Glenview
February 6/7, 2010	Region 3	Joliet
March 21/22, 2010	Region 9/11	Salem
March 23/24, 2010	Region 8	Fairview Heights

**Amendment to the Lease for Regional Law Enforcement
Training Center between CHAMPAIGN COUNTY, ILLINOIS as
Landlord and ILLINOIS LAW ENFORCEMENT ALARM SYSTEM
as Tenant**

**1701 E. Main Street
Urbana, Illinois 61802**

This Lease Amendment is made this 1st day of November, 2010 between Champaign County, Illinois ("Landlord") and the Illinois Law Enforcement Alarm System ("Tenant").

IN CONSIDERATION THEREOF, THE PARTIES COVENANT AND AGREE:

1. Pursuant to Section 2 of the original LEASE, entitled, OPTION TO REOPEN, and the LEASE SCHEDULE Sections Five (5), Six (6), Seven (7), Eight (8) and Nine (9), the parties hereby agree to extend the lease as follows:
 - a. The original three year lease period was from September 1, 2007 through December 31, 2010
 - b. On April 9, 2009 the original lease was amended and extended to December 31, 2011.
 - c. On November 1, 2009 the original lease was extended to December 31, 2012.
 - d. This Amendment extends the lease until December 31, 2013.
 - e. In consideration for the Lease extension, Tenant will pay rent to the Landlord of \$419,000 to be paid in full by November 30, 2009.
 - f. The \$419,000 lease payment for 2013 shall be discounted by \$1,000 to accommodate the annual \$1,000 membership fee for the Champaign County Sheriff's Office to have access to the ILEAS training facility for FY2013, resulting in a total payment of \$418,000 by ILEAS.
2. The original OPTION TO REOPEN will continue in force starting with two three-year options to reopen; the first three year option beginning on January 1st, 2014.
3. Pursuant to Section 3 of the Lease Schedule of the original LEASE, the Landlord and the Tenant agree that the following modifications be made:
 - A. Landlord's Obligations. Landlord shall provide the following services at Landlord's sole expense:
 - (3) Hardwired access to the Champaign County fiber network and access and completion of a redundant fiber loop on the Champaign County Campus.

IN WITNESS WHEREOF, THE PARTIES HAVE EXECUTED THIS LEASE THE DAY AND YEAR FIRST ABOVE WRITTEN.

TENANT:
Illinois Law Enforcement Alarm System

LANDLORD
Champaign County, Illinois

By: _____

By: _____

Title: _____

Title: _____

**Closed Meeting Minutes Review – Committee of the Whole
Highway & Transportation/County Facilities/Environment & Land Use
October 2010 (Deferred from September)**

Is it necessary to protect the public interest or privacy of an individual?

Date of Minutes	Yes, Keep Confidential	No, Place in Open Files
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Highway & Transportation Committee

December 20, 1989 <i>Performance Appraisal Subcommittee</i>		
January 16, 1991 <i>Performance Appraisal Subcommittee</i>		
January 22, 1992 <i>Performance Appraisal Subcommittee</i>		
November 20, 1992 <i>Performance Appraisal Subcommittee</i>		
April 5, 1994 <i>Performance Appraisal Subcommittee</i>		
September 17, 1996		
November 22, 1996 <i>Search Subcommittee for County Engineer</i>		
November 26, 1996 <i>Search Subcommittee for County Engineer</i>		
January 24, 1997 <i>Contract Negotiations Subcommittee</i>		
February 19, 1997 <i>Salary Negotiations Subcommittee</i>		
February 3, 1999 <i>Performance Appraisal Subcommittee</i>		
February 5, 1999		
May 7, 1999		
September 10, 1999		
October 15, 1999		
December 10, 1999		
January 14, 2000		
March 29, 2000		

April 7, 2000		
August 11, 2000		
September 8, 2000		
September 19, 2000		
October 24, 2000		
November 27, 2000		
December 19, 2000		
July 6, 2001 – 9:20 a.m.		
July 6, 2001 – 9:40 a.m.		
October 11, 2002		
November 7, 2003		
June 7, 2004 <i>County Engineer Selection Committee</i>		
June 14, 2004 <i>County Engineer Selection Committee</i>		
June 21, 2004 <i>County Engineer Selection Committee</i>		
June 29, 2004 <i>County Engineer Selection Committee</i>		
July 8, 2004 <i>County Engineer Selection Committee</i>		
July 8, 2004		
July 30, 2004 <i>County Engineer Search Committee</i>		
August 5, 2004		
August 23, 2005 <i>Performance Appraisal Subcommittee</i>		
August 31, 2005 <i>Performance Appraisal Subcommittee</i>		
October 7, 2005		
August 31, 2006 <i>Performance Appraisal Subcommittee</i>		

September 14, 2006 <i>Performance Appraisal Subcommittee</i>		
October 6, 2006		
August 17, 2007 <i>Performance Appraisal Subcommittee</i>		
September 17, 2007 <i>Performance Appraisal Subcommittee</i>		
October 12, 2007		
November 9, 2007		
February 8, 2008		
March 7, 2008		
June 6, 2008		
August 26, 2008 <i>Performance Appraisal Subcommittee</i>		
September 12, 2008 <i>Performance Appraisal Subcommittee</i>		
April 17, 2009		

County Facilities Committee

April 26, 1990 <i>Performance Appraisal Subcommittee</i>		
November 12, 1992 <i>Performance Appraisal Subcommittee</i>		
July 7, 1993 <i>Search Subcommittee for Physical Plant Director</i>		
November 6, 2001 – 7:48 p.m.		
November 6, 2001 – 8:21 p.m.		
December 10, 2002		
January 6, 2004		
May 4, 2004		
June 8, 2004		
August 25, 2004 <i>Performance Appraisal Subcommittee</i>		

September 15, 2004 <i>Performance Appraisal Subcommittee</i>		
October 5, 2004		
May 10, 2005		
August 23, 2005 <i>Performance Appraisal Subcommittee</i>		
August 31, 2005 <i>Performance Appraisal Subcommittee</i>		
October 12, 2005		
February 7, 2006		
May 2, 2006		
June 13, 2006		
August 22, 2006		
August 24, 2006 <i>Performance Appraisal Subcommittee</i>		
September 14, 2006 – #1 <i>Performance Appraisal Subcommittee</i>		
September 14, 2006 – #2 <i>Performance Appraisal Subcommittee</i>		
October 3, 2006		
November 21, 2006		
August 10, 2007 <i>Performance Appraisal Subcommittee</i>		
October 1, 2007 <i>Performance Appraisal Subcommittee</i>		
May 6, 2008		
August 26, 2008 <i>Performance Appraisal Subcommittee</i>		
September 12, 2008 <i>Performance Appraisal Subcommittee</i>		
November 12, 2008		
August 11, 2009 – 7:17 p.m.		
August 11, 2009 – 7:30 p.m.		

Environment & Land Use Committee

January 25, 2000		
December 12, 2005		
August 24, 2006 <i>Performance Appraisal Subcommittee</i>		
September 14, 2006 <i>Performance Appraisal Subcommittee</i>		
October 16, 2006		
August 17, 2007 <i>Performance Appraisal Subcommittee</i>		
September 17, 2007 <i>Performance Appraisal Subcommittee</i>		
September 20, 2007		
November 13, 2007		
August 26, 2008 <i>Performance Appraisal Subcommittee</i>		
*September 12, 2008 <i>Performance Appraisal Subcommittee</i>		
October 14, 2008		

Committee of the Whole

*June 8, 2010		
*August 3, 2010		

***Minutes not previously approved in semi-annual review.**