



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

MINUTES – APPROVED AS DISTRIBUTED ON NOVEMBER 8, 2018

DATE: Thursday, October 4, 2018
TIME: 6:30 p.m.
PLACE: Lyle Shields Meeting Room
Brookens Administrative Center
1776 E Washington, Urbana, IL 61802

Committee Members

Present	Absent
Aaron Esry (Chair)	
Patti Petrie (Vice Chair)	
Jodi Eisenmann	
	Stephanie Fortado
Jim Goss	
Kyle Patterson	
James Quisenberry	

County Staff: John Hall (Zoning Administrator), Susan Monte (Planner), Tammy Asplund (Recording Secretary)

Others Present: Pius Weibel (County Board Chair)

MINUTES

I. Call to Order

Committee Chair Esry called the meeting to order at 6:31 p.m.

II. Roll Call

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

III. Approval of Agenda and Addenda

MOTION by Goss to approve the agenda; seconded by Patterson. Upon vote, the **MOTION CARRIED** unanimously.

IV. Approval of Minutes

A. ELUC Committee meeting – August 9, 2018

MOTION by Petrie to approve the minutes of the August 9, 2018 ELUC meeting; seconded by Patterson. Upon vote, the **MOTION CARRIED** unanimously.

V. Public Participation

Michael Borkowski stated he represents Community Power Group. He discussed the waivers requested in Agenda Items IX A and IX B. According to Mr. Borkowski, each project has a one in ten chance of being selected by the Illinois Power Authority.

Christopher Soppet stated he and his wife are landowners on one of the proposed solar farm projects. He stated he takes environmental stewardship very seriously.

VI. Communications

Ms. Monte distributed a handout related to Agenda Item VII C.

VII. For Information Only

A. Residential Electronics Collection Update

Ms. Monte reminded all the registration for the October event is still open. Ms. Monte stated RPC has started a search for a 4800 square-foot, covered facility as a potential collection site. According to Ms. Monte, it does not have to be a long-term commitment. In response to a question from Mr. Esry, Ms. Monte noted there are 1,643 registered of the 1,900 available slots for next Saturday's collection event.

B. Mahomet Aquifer Protection Task Force Update

Ms. Monte announced the next meeting is scheduled for October 15, 2018 at the First Christian church in Decatur. Ms. Monte stated the Task Force anticipates completion of its report by the end of 2018, including a State plan to maintain the groundwater quality of the Mahomet Aquifer.

C. Update on State Permitting of Dynegy Coal Ash Pits Along Middle Fork River

Ms. Monte stated the Army Core of Engineers decided to review the permit as an individual permit, instead of a national permit, providing an opportunity for public input. Ms. Monte reviewed the materials previously handed out. In response to a question from Ms. Petrie, Ms. Monte stated she sees this as good news.

VIII. Items to be Approved by ELUC

A. Annual Hotel/Motel License for Urbana Motel, Inc. at 1906 North Cunningham Avenue, Urbana, for September 13, 2018 through December 31, 2018

Mr. Esry noted this is the only facility like this (hotel/motel license) in Champaign County. In response to a question from Mr. Patterson, Mr. Hall responded this property is a Motel 6.

MOTION by Ms. Petrie; seconded by Mr. Goss. Upon vote, the **MOTION CARRIED** unanimously.

B. Using Enforcement Fines to Help Offset the Cost of Adopting a Building Code

In response to a question from Mr. Quisenberry, Mr. Hall explained the difference between this and the State code. Mr. Hall noted the State code applies to new construction, but lacks a property maintenance code and does not have an existing building code. Mr. Quisenberry stated he would want to know what the projected staffing costs would be to cover the inspections and enforcement.

In response to a question from Mr. Weibel, Mr. Hall explained the process to purchase a building code. According to Mr. Hall, the County does not have the resources to develop a code. Mr. Hall noted the Cities of Champaign and Urbana purchased codes from a reputable code-seller. Mr. Hall stated the cost of the code is comparatively low (a few hundred dollars) and is legally defensible. Ms. Petrie stated she hopes the next board considers an additional staff member for the Planning and Zoning department for the 2020 budget. In response to a question by Ms. Eisenmann, Mr. Hall cited the Cherry Orchard Apartment complex and Yankee Ridge as examples of where a building code would have been helpful. Mr. Hall commented that another cost to having a code is the necessity for a code board of appeals to handle situations that come up.

MOTION by Ms. Petrie that the settlement money (\$109,800) be used to facilitate for the County to research and establish a building code; seconded by Mr. Esry. Upon vote, **MOTION FAILED**.

MOTION by Mr. Goss to use the settlement money (\$109,800) to research a building code; seconded by Mr. Quisenberry. Upon vote, **MOTION CARRIED** unanimously.

IX. Items to be Recommended to the County Board

- A. **Case 894-S-17.** *A request by Community Power Group LLC, via agent Michael Borkowski, Owner of Community Power Group, and participating landowners Erin and Chris Soppet, to authorize a Community PV Solar Farm Special use Permit on approximately 15.94 acres with a total nameplate capacity of 2 megawatts (MW), including access roads and wiring, in the AG-1 Agriculture Zoning District. The subject property is a 57.84-acre tract in the West Half of the Northeast Quarter of Section 12 of Township 19 North, range 10 East of the Third Principal Meridian in St. Joseph Township, and commonly known as the property just north of the St. Joseph's Sportsman club. The following waivers of standard conditions are necessary:*

Part A: A waiver for a distance of 465 feet in lieu of one-half mile (2,640 feet) between a municipal boundary and a PV SOLAR FARM, per Section 6.1.5 B.(2) of the Zoning Ordinance.

Part B: A waiver for not providing a Decommissioning and Site Reclamation Plan that includes cost estimates prepared by an Illinois Licensed Professional Engineer prior to consideration for the Special Use Permit by the board, per Section 6.1.1 A.3.

Part C: A waiver for not entering into a Roadway Upgrade and Maintenance Agreement or waiver therefrom with the relevant local highway authority prior to consideration of the Special Use Permit by the board, per Section 6.1.5 G.

Mr. Hall stated this is the first solar farm request. He anticipates five additional solar farm requests by the end of the year. Mr. Hall reviewed the memo in the agenda packet, including public comments made at the Zoning Board meetings. In response to a question from Ms. Petrie, Mr. Borkowski explained the State of Illinois lottery process, with regard to solar farms. Mr. Borkowski explained power grid design its effect on solar farm implementation. He discussed how Community Power Group is able to monetize the electric from a solar facility. According to Mr. Borkowski, the cutoff for application was in September. In response to a question from Ms. Eisenmann, Mr. Borkowski noted the panels used do not contain Cadmium.

MOTION by Ms. Petrie; seconded by Mr. Patterson. Upon vote, the **MOTION CARRIED**.

- B. **Case 897-S-18.** *A request by Community Power Group LLC, via agent Michael Borkowski, Owner of Community Power Group, and landowners Thomas and Debra Sutter to authorize a Community PV Solar Farm of 16.23 acres in area with a total nameplate capacity of 2 megawatts (MW), including access roads and wiring in the AG-1 Agriculture Zoning district. The subject property is a 36.77-acre tract in the West Half of the North Half of the Northwest Quarter of Section 20 of Township 22 North, Range 9 East of the Third Principal Meridian in Ludlow Township, and commonly known as the farmland adjacent to the electric substation o the southeast corner of the intersection of CR 3300N and Cr 1300E. The following waivers of standard conditions are necessary:*

Part A: A waiver for not providing a Decommissioning and Site Reclamation Plan that includes cost estimates prepared by an Illinois Licensed Professional Engineer prior to consideration of the Special use Permit by the Board, per Section 6.1.1 A.3.

Part B: A waiver for not entering into a Roadway Upgrade and Maintenance Agreement or waiver therefrom with the relevant local highway authority prior to consideration of the Special Use Permit by the board, per Section 6.1.5 G.

In response to a question from Mr. Goss, Mr. Borkowski responded this project is in coop territory. He noted in the original legislation, coops were allowed to participate in these solar farm projects. The state later reversed that decision, as a result of a lawsuit. According to Mr. Borkowski, he agreed to move forward in the event that they prevail in the lawsuit and it does become eligible.

MOTION by Ms. Petrie; seconded by Mr. Patterson. Upon vote, the **MOTION CARRIED** unanimously. Per a request by Ms. Petrie, this item will not be on the consent agenda.

X. Other Business

A. *Semi-annual Review of CLOSED Session Minutes*

Mr. Esry reviewed the letter from the State's Attorney's Office.

MOTION by Mr. Quisenberry to maintain all as closed; seconded by Mr. Goss. Upon vote, the **MOTION CARRIED** unanimously.

XI. Chair's Report

None

XII. Designation of Items to be Placed on the Consent Agenda

None

XIII. Adjournment

There being no further business, Mr. Esry adjourned the meeting at 7:57 p.m.