

## Minutes of the Land Use and Development Committee

The Land Use and Development Committee of the McLean County Board met on January 9, 2003 at 530 p.m. in Room 700,. Law and Justice Center, 104 W. Front Street, Bloomington, Illinois.

Members Present: Chairman Gordon, Members Johnson, Cavallini, Rackauskas, Segobiano and Ahart

Members Absent: None

Staff Present: Ms. Lucretia Wherry, Human Resources Assistant, County, Administrator's Off ice

Department Heads Present: Mr. Phil Dick, Director, Building and Zoning;  
Mr. Mike Behary, Planner, Building and Zoning Department;  
Mr. Tom Anderson, Supervisor, Environmental Health, Health Department

Others Present: Ms. Michelle Covi, Director, Ecology Action Center

Chairman Gordon called the meeting to order at 3:46 p.m.

Chairman Gordon presented the bills, which have been reviewed and recommended for transmittal to the Land Use and Development Committee by the County Auditor.

### L a n d U s e C o m m i t t e e FINANCIAL SYSTEM MCLEAN COUNTY BOARD COMMITTEE REPORT AS OF 1 2 / 3 1 / 2 0 0 2

#### EXPENDITURE SUMMARY B Y FUND

FUND	FUND TITLE	PENDING TOTAL	PREPAID TOTAL	FUND TOTAL
0001	GENERAL FUND		\$15,773.50	\$15,773.50
COMMITTEE REPORT TOTALS			\$15,773.50	\$15,773.50

Motion by Cavallini/Johnson to recommend approval of the bills as presented by the County Auditor. Motion carried.

Ms. Michelle Covi, Director, Ecology Action Center, presented the Solid Waste Quarterly Report. There being no questions from the Committee, Ms. Covi presented an overview of the Ecology Action Center. The Center began as Operation Recycle. In 1998, the McLean County Solid Waste Management program closed and the Regional Planning Commission took over the contract for the County. The Ecology Action Center became responsible for educational recycling programs at that time. The Ecology Action Center works with Bloomington and Normal Public Works, to distribute program information. The Center works with 4th Grader classes County wide on recycling programs.

The Ecology Action Center works with area business on the Business Materials Exchange Program. The Center does not store materials, but facilitates a listing of available materials and business contact information.

The Center is currently working on the County Recycling Rate. Local Governments and businesses are surveyed. Gathering the information and compiling the results will take a few months. Requests for the information are already being made.

The Ecology Action Center also is responsible for printing a newsletter for residents. Other residential programs include a household hazardous waste program. The Center is hoping to be awarded a grant this year so that the household hazardous waste program can be offered this year.

Ms. Rackauskas asked what are the budget and the staff levels for the Ecology Action Center. Ms. Covi answered that the budget is about \$1 00,000.00 including grant funds. Ms. Covi is the only full-time staff member. The Center employs four part-time employees.

Mr. Tom Anderson, Supervisor, Environmental Health, Health Department, presented an overview of the new Illinois Environmental Protection Agency (IEPA) standards for wastewater treatment. If a development's wastewater discharge is over 15,000 gallons of water a day, a developer must apply for a national Discharge Pollution Elimination Systems (NPDES) permit from the IEPA.

In McLean County, there are two types of acceptable wastewater treatment systems. The first type is a Subsurface Surface Seepage Field. The second type is a Sand Filter Septic System. The Sand Filter Septic System is used in areas where there is a high density of clay in the soil.

In 1993, the IEPA required that high-density populations have to bring discharges together. As a result, developers work with Building and Zoning to install common collectors for the treatment of wastewater. However, because the IEPA and the Board of Health Standards differ the two have to have a good working relationship. The IEPA requires a permit after 15,000 gallons. The Board of Health required a permit for developments over seven bedrooms.

Mr. Cavallini asked if the number of individuals per household is taken into consideration. Mr. Anderson replied that the number of persons per household is not taken into account because a small family might build the house, but sell it to a larger family. Bloomington/Normal has a highly transient population. The system is designed to handle the worst case scenario. Most subdivisions with three or more lots have to apply to the IEPA for a permit. The IEPA does not guarantee issuance of the permit and the laws are becoming tougher. As of January 1, 2003, developers are required to submit an engineering report to the IEPA. The developer must demonstrate that other forms of sewage disposal such as subsurface seepage fields or low rate land application of treated effluent are not feasible before the IEPA will consider issuing a NPDES permit. The change is necessary due to the revised anti-degradation regulation required by the USEPA. This means that the developer has to go through a formal assessment process and to make that assessment available for public comment. In McLean County, the issuance of NPDES permits tends to trigger significant public involvement. The IEPA hopes that having the assessment available to the public prior to the issuance of the permit will shorten the IEPA public hearings.

Ms. Rackauskas asked in what format the public is notified. Mr. Anderson replied that the new regulations do not include a specific notification process. Ms. Rackauskas asked how the IEPA could enforce the regulation without a formal notification process in place.

Ms. Rackauskas asked how developers are currently handling the notification process. Mr. Anderson replied that thus far this year, no one has had to file for a permit. Mr. Anderson stated that the IEPA has 90 days to review requests once they begin the review, not once the application is received. This process has taken over a year in the past.

Ms. Rackauskas asked what avenue could be taken to rebut the process until the IEPA puts a formal process in place. Chairman Gordon stated that as long as the IEPA does not have a formal process in place, developers would not be in violation of the regulation. Mr. Anderson noted that the developers are helped by the fact that developments are not allowed to be built on agriculturally sound land. This means in most cases in McLean County, the Sand Filter Seepage System has to be used. Chairman Gordon noted that there are some structural gaps in the system. McLean County Health Department works as closely as possible with the IEPA to solve problems. Chairman Gordon asked how McLean County could help facilitate a solution. Mr. Anderson replied that the Health Department is sending out the letter received from the IEPA to developers so that the developer is made aware of the new changes. The IEPA sent the letter directly to local engineers.

Ms. Rackauskas asked if the developer has to incur the costs of the notification process. Mr. Anderson stated that the developer would be responsible for any costs that may be incurred.

Ms. Rackauskas asked what the Committee's next step is regarding the IEPA changes. Mr. Anderson replied that the information is for the Committee's review. No action is being asked of the Committee. Ms. Rackauskas what is the Health Department's role in the changes in the IEPA regulations. Mr. Anderson replied that the Health Department does not have the ability to enforce the regulation, but is helping to notify the developers and engineers of the changes.

Mr. Dick stated that the Department of Building and Zoning encourages the developers to start the process as early as possible, because the developer can not begin work until the NPDES permit is issued. Mr. Dick suggested that the Committee take a field trip to view developments in McLean County. The Committee agreed on Thursday, January 16,2003 at 10:00 a.m. in the lobby of the Law and Justice Center for the field trip.

The Committee reviewed the December 2002 Activity Report for the Department of Building and Zoning.

There being nothing further to come before the Committee at this time, Chairman Gordon adjourned the meeting at 7:02 p.m.

Respectfully submitted,

Ms. Lucretia A. Wherry  
Recording Secretary

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