

Minutes of the Land Use and Development Committee Meeting

The Land Use and Development Committee of the McLean County Board met on Thursday February 7, 2013 at 3:30 p.m. in Room 400, Government Center, 115 E. Washington Street, Bloomington, Illinois.

Members Present: Chairman Gordon, Members Erickson, Brandt, Buchanan and Pyne

Members Absent: Chairman Wendt

Other Board Members Present:

Staff Present: Mr. Bill Wasson, County Administrator, Ms. Hannah Eisner, Assistant County Administrator, Ms. Diana Hospelhorn, Recording Secretary

Department Heads/
Elected Officials
Present: Mr. Phil Dick, Director of Building and Zoning

Others Present: Mr. James Lindsay, Lindsay Subdivision Property Owners

Chairman Gordon called the meeting to order at 3:37 p.m.

Chairman Gordon presented the Minutes of the January 3, 2013 Land Use and Development Committee Meeting for approval. He asked for any additions or corrections.

Ms. Pyne noted that in the January 3, 2013 Land Use and Development Committee Minutes "called the meeting to order at 4:45 p.m." should be corrected to say "called the meeting to order at 3:30 p.m."

Chairman Gordon requested that the correction be made to the January 3, 2013 Committee Meeting Minutes.

Motion by Buchanan/Pyne to recommend approval of the January 3, 2013 Land Use and Development Committee Meeting.
Motion carried.

Chairman Gordon presented the bills from November 30, 2012 which have been reviewed and recommended for transmittal to the Land Use and Development Committee by the County Auditor. The prepaid total and fund total for January 31, 2013 is \$6,546.20.

Motion by Pyne/Brandt to recommend approval of the January 31, 2013 Land Use and Development Committee Bills.
Motion carried.

Chairman Gordon informed the Committee that the first item for action on the Agenda is the Request by James Lindsay for a waiver of preliminary plan requirements and approval of a one lot final subdivision plat for the Lindsay Subdivision, File No. S-13-01.

Mr. Phil Dick, Director of Building and Zoning, referred to the distributed area photo showing how the house and buildings will be set aside from the 32 acre parcel. The property is located in Lexington Township within 1 ½ mile of the City of Lexington. The Lexington City Council will review the application. He advised that the one lot subdivision has been reviewed and recommended for approval by County Highway Department, County Health Department and Staff. The Township Road Commission has approved the entrance and signed the plat access certificate for the subdivision. Mr. Dick advised that a preliminary plan is not necessary for a one lot subdivision. The plat can be recorded once it is approved by the County Board and the City of Lexington Council. Mr. Lindsay was present to answer any questions the Committee may have.

Mr. Buchanan asked if there is a minimum acreage required for a County subdivision. Mr. Dick responded that in the Agricultural District in McLean County the minimal lot size is one acre.

Motion by Brandt/Buchanan to recommend approval of the Request by James Lindsay for a waiver of preliminary plan requirements and approval of a one lot final subdivision plat for the Lindsay Subdivision, File No. S-13-01.
Motion carried.

Chairman Gordon continued with the Emergency Appropriation Ordinance for publishing legal notices for Zoning and Subdivision cases.

Mr. Dick reported that under State Law, public hearings for zoning and subdivision cases are required to have notices published at least 15 days prior to the public hearing. In the past, the Department required the applicant to pay for published notices prior to the public hearing. The money is collected from the applicant, deposited with the County Treasurer, and the County Auditor then pays for the publication from revenue line 0001-0038-0040-0410-0017. He advised that on January 8, 2013 the Auditor's Office indicated that they can no longer pay for notifications from the revenue line. Notifications should be paid from budget expense line 0001-0038-0040-0701.0001. It has been determined that good accounting practices require publication expenses to be taken from a General Fund expense line.

Mr. Dick noted that the Department does not have the amount necessary in this budget line to pay for publications. He added that the estimated amount of publication cost through the end of 2013 will be \$4,000. Mr. Dick stated that having the Department pay for the publication rather than the applicant, assures the Department that the published notification has been paid. The publication costs will still be collected from the applicant.

Mr. Dick stated that the Department does budget for zoning and subdivision publications in which the County is the applicant or when a case is republished due to the County's responsibility. This is reflected in the \$384 shown under "Adopted" the Emergency Appropriation Ordinance.

Mr. Dick recommended approval of the following Emergency Appropriation Ordinance:

	<u>ADOPTED</u>	<u>ADD</u>	<u>AMEMDED</u>
Advertising/Legal Notices 0001-0038-0040-0701.0001	\$384	\$4,000	\$4,384

Mr. Bill Wasson, County Administrator, advised that the Government Finance Officers Association guidelines recommend that expenditures not be made out of revenue lines. This budget amendment does not include an increase in revenue. It is simply for the expenditure.

Ms. Sally Pyne stated that she will recuse herself from voting due to a family conflict of interest.

Motion by Buchanan/Erickson to recommend approval of Emergency Appropriation Ordinance for publishing legal notices for Zoning and Subdivision cases.
Motion carried.

Chairman Gordon presented the Hydraulic Fracturing Seminar to the Committee.

Mr. Dick stated that the Hydraulic Fracturing seminar is organized by the Illinois Association of County Board Members and Commissioners. The seminar is March 4, 2013 from 10:00 a.m. – 2:30 p.m. in Springfield, IL. Presenters include:

- Illinois Chamber of Commerce Energy Council
- Illinois Department of Natural Resources (IDNR)
- Illinois Environmental Council
- Illinois Oil and Gas Association

Mr. Dick informed the Committee that he will email the information and registration form to the Committee. If anyone is interested in attending, please let him know by February 18, 2013. There are County funds to pay the \$35.00 registration for the Committee members.

Mr. Wasson noted that the County would like to know if a majority of a quorum of the Committee will be present at the Seminar. Please notify Mr. Dick if you are planning on attending. Mr. Dick will post a notice at the Government Center and inform the media if necessary.

Mr. Erickson stated that it is not a publication issue if the majority is not addressing the group. Mr. Wasson advised that if there is a possibility of a majority of a quorum of any Committee or the County Board present at any activity, we will make notice that there is this possibility and no action is intended to be taken.

Ms. Pyne suggested that other County Board members be made aware of the seminar. There may be members that would be interested in attending.

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Chairman Gordon advised that to comply with the Open Meetings Act, notification of the presence of a majority of a quorum is sufficient.

Ms. Hannah Eisner, Assistant County Administrator added that when a meeting is on an issue of interest to the County Board as opposed to a social gathering, it makes sense to do an Open Meetings Act notification.

Chairman Gordon stated that the next meeting of the Land Use and Development Committee will be March 7, 2013 at 3:30 p.m.

Chairman Gordon asked if there was any other information to come before the Committee. Hearing none he adjourned the Land Use and Development Committee Meeting at 4:10 p.m.

Respectfully Submitted,

Diana Hospelhorn
Recording Secretary