

## **Minutes of the Land Use and Development Committee Meeting**

The Land Use and Development Committee of the McLean County Board met on Thursday July 3, 2014 at 3:30 p.m. in Room 400, Government Center, 115 E. Washington Street, Bloomington, Illinois.

Members Present: Chairman Gordon, Members Harris, Erickson, Metsker and Wendt

Members Absent: Buchanan and Brandt

Other Board Members Present: None

Staff Present: Mr. Bill Wasson, County Administrator, Mr. Mark Messman, Assistant State's Attorney, Ms. Diana Hospelhorn, Recording Secretary

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

Others Present: Mr. Mike Behary, Building and Zoning, Ms. Cathy Winters, Property Owner

Chairman Gordon called the meeting to order at 3:33 p.m. He presented the minutes from the June 5, 2014 Land Use and Development Committee Meeting. He asked if there were any additions or correction to the minutes, hearing none he approved the minutes as submitted without objection.

Chairman Gordon presented the bills from June 30, 2014 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 June 30, 2014 is \$1,288.26.

Motion by Harris/Erickson to recommend approval of the Land Use and Development Committee Bills for June 30, 2014.  
Motion carried.

Chairman Gordon presented the request by Cathy Winters for a waiver of preliminary plan requirements and a one lot final subdivision plat for the Winters Subdivision, file No. S-14-06.

Mr. Phil Dick, Director of Building and Zoning, stated that the one lot subdivision is located at 14538 350 North Road, Heyworth, IL in Randolph Township. The Village of Heyworth will also review this request. Mr. Dick advised that the applicant owns the 90 acres farm property from which this 2.89 acre lot is being set aside. She and her husband plan to build a dwelling on this lot in which they plan to live. The request meets all County Subdivision requirements.

Mr. Dick advised that Staff, the County Health Department and the County Highway Department recommend approval of the request for a waiver of a preliminary plan and approval of the final plat of the Winters Subdivision. The Randolph Township Road Commissioner has signed a plat access certificate for the subdivision. He stated that Ms. Winters is present to answer any questions the Committee may have.

Motion by Wendt/Harris to recommend approval of the request by Cathy Winters for a waiver of preliminary plan requirements and a one lot final subdivision plat for the Winters Subdivision, file No. S-14-06.  
Motion carried

Chairman Gordon continued with the Request by the McLean County Regional Planning Commission to approve a Regional Planning Service Agreement for their fiscal year July 1, 2014 through June 30, 2015.

Mr. Dick presented the Regional Planning Service Agreement.

Mr. Bill Wasson noted that this is an annual Intergovernmental Agreement with the City of Bloomington, Town of Normal, the County and Regional Planning.

Ms. Harris asked if this contract is any different than previous contracts. Mr. Wasson responded that the elements of the contract are the same. He noted that for several years Regional Planning was relying on a developed fund balance, decreasing our costs. The cost is now back to a more typical amount due to the depletion of the fund balance.

Ms. Harris commended Ms. Vasudha Pinnamaraju, Director of Regional Planning for the marvelous job she is doing. Chairman Gordon agreed especially in the matters of Community outreach.

Ms. Metsker noted that the payment is decreasing for a period of six months beginning in January. Mr. Wasson responded that the County's fiscal year is different than City of Bloomington, Town of Normal and Regional Planning. Mr. Dick added that Regional Planning's fiscal year, July 1<sup>st</sup>, is the same as the Illinois Department of Transportation (IDOT) and the State of Illinois.

Mr. Wasson stated that a significant amount of the funding that revolves around Regional Planning comes from IDOT as a result of the funding provided by this agreement.

Motion by Harris/Erickson to recommend approval of the Regional Planning Service Agreement for their fiscal year July 1, 2014 through June 30, 2015.  
Motion carried.

Chairman Gordon stated that the next Land Use and Development Committee Meeting will be August 7, 2014.

Mr. Wasson advised that the Pollution Control Site Hearing Committee will not be meeting. The applicant has currently waived the 180 day limit. We could see this application in the future. There is pending legislation on the Governor's desk that may make this action moot. If the legislation is signed, we anticipate that the applicant will return to the Zoning Board of Appeals for an amendment to their Special Use Permit.

Mr. Erickson stated that there was a discussion at Finance Committee Meeting concerning Animal Control being placed under the Administrator's Office on January 1, 2015. The Executive Committee will recommend if Animal Control will stay with the Finance Committee as the over site committee or be moved under another committee. He noted that Animal Control could go to any of the other committees. Mr. Erickson stated that Land Use and Development is as competent to be the over site committee of Animal Control as any of the committees.

Mr. Wasson added that the Finance Committee Members voiced a strong desire for Animal Control to remain in Finance. It is the Executive Committee's responsibility to make the recommendation to the County Board.

Ms. Harris reported that the Supreme Court has overturned local control and reinstated control over fracking in California. Chairman Gordon responded that it he did not believe it is pertinent to Illinois.

Mr. Wendt stated that the issue should be studied and he believed we should loosen the ability for oil companies to drill for oil in McLean County. The only thing McLean County

does not have is energy. If oil and gas is present in the southern part of McLean County, we should do all we can to encourage drilling by oil companies. The State is instilling safe guards for fracking. The EPA has approved fracking. There have been no reported problems where fracking has been done. He believes it is unpatriotic not to go after all the oil, gas and energy available to United States. If the United States produces all the energy it has the potential of, two things will happen:

1. The dependency on the Middle East of Europe will decrease. The dependency on the U. S in the Europe will increase.
2. The price of energy will continue to decrease in the United States.

He added that it is very unfair to make it impossible for oil companies to develop in McLean County as well as being unfair to property owners.

Mr. Wendt referred to the County budget income. He stated that over the next years, the County expenses will increase. Fracking is increasing in development and would be beneficial if all states participated.

Mr. Wendt stated that he would like to see the oil companies invited to present fracking and the safety of fracking to the Committee.

Chairman Gordon stated under State law the County has no authority to control fracking.

Mr. Wendt responded that the County's permit system discourages oil companies. To drill for water a public hearing is not needed. To drill for oil a public hearing is required. There is no reason to require the oil companies to release information to the competition through a public hearing. He noted that it does not make sense that a property owner cannot drill for oil under the same type of permit that permits drilling for water.

Chairman Gordon responded that the Illinois Department of Natural Resources has not issued the final regulations to implement the statute passed by the legislature. We do not know what the results will be. Mr. Wendt added that the County could change their permit system.

Ms. Harris stated we are currently looking at precedence that may have a bearing on this economy. She will be sending information to the State's Attorney.

A discussion followed concerning the safety of fracking.

Mr. Erickson asked if IDNR does finalize regulations, will this change the Special Use process. Chairman Gordon responded that the Special Use permit process would continue to be in force but not necessarily for fracking. It will depend on the IDNR's final rule.

Mr. Wendt asked if the IDNR will issue permits. Mr. Wasson responded that they do issue permits for drilling across the state; whether it is for horizontal hydraulic fracking or for typical vertical drilling.

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Mr. Erickson asked if we know when IDNR will be making the final regulations. Mr. Wasson advised that, based upon the interest of the Committee, staff will call the IDNR and ask.

Ms. Harris asked if information can be presented to the Committee about fracking. Mr. Wasson responded that it Staff would provide the information received from the State.

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 4:00 p.m. without objection.

Respectfully Submitted,

Diana Hospelhorn  
Recording Secretary