

## Minutes of the Land Use and Development Committee Meeting

The Land Use and Development Committee of the McLean County Board met on Thursday April 5, 2018 at 3:30 p.m. in Room 400, Government Center, 115 E. Washington Street, Bloomington, Illinois.

Members Present: Chairman Chuck Erickson, Members, Laurie Wollrab, George Wendt Jacob Beard, Ryan Scritchlow

Members Absent: Member Don Cavallini

Other Board Members Present: Catherine Metsker

Staff Present: Mr. Bill Wasson, County Administrator, Mr. Don Knapp, Assistant County Administrator, Ms. Jessica Woods, First Civil Assistant State's Attorney, and Ms. Julie Morlock, Recording Secretary

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

Others Present: Mr. Michael Brown, Director of Ecology Action Center

Chairman Erickson called the meeting to order at 3:30 p.m.

Chairman Erickson presented the bills as of April 1, 2018 reviewed and recommended by the County Auditor. The prepaid total and fund total is \$8,005.88. He asked for any objections to the bills.

### MCLEAN COUNTY BOARD COMMITTEE REPORT

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AS OF 4/1/2018

#### EXPENDITURE SUMMARY BY FUND

##### Land Use Committee

FUND	FUND TITLE	PENDING TOTAL	PREPAID TOTAL	FUND TOTAL
0001	GENERAL FUND		\$8,005.88	\$8,005.88
			<hr/>	<hr/>
			\$8,005.88	\$8,005.88



COMMITTEE CHAIRMAN

Motion by Scritchlow/Johnson to recommend approval of the Land Use and Development Committee bills.  
Motion carried.

Chairman Erickson indicated there had been three requests from the public to appear before the Committee. Mr. Erickson asked Mr. Eric Elder to come forward and reminded him he would have 5 minutes to present to the Committee.

Mr. Elder spoke of his concerns about the Wind Farms but wanted the Committee and Board to consider changes to the ordinance that would address set back limits. He stated that he

felt 1500 feet is not enough and how they measure should be changed from foundation to the edge of the property line. He stated the Illinois Department of Natural Resources has ½-mile guidelines for set back and yet the Windfarms want to put them 110 feet from creeks. He asked them to consider testimony from experts who said they would recommend larger setbacks. He stated that this is not to stop windfarms but to take into consideration those who will be living in the middle of the windfarms. He then brought up maps to show where homes and where turbines will be. He also indicated that he has signatures of many individuals who do not want any further windfarms in McLean County. Mr. Erickson thanked Mr. Elder and then asked Mr. Jolly to come forward.

Mr. Tim Jolly spoke of his concerns about Wind Farms ordinances. He stated he agreed with Mr. Elder the setbacks are too close and asked the Committee to consider a comprehensive renewable energy plan for the County. He stated that the Illinois pollution control standards say you can measure from anywhere on the property and not just from the house. He stated he did not feel there was enough notice given about the public hearing and asked if notices could be provided in a different manner instead of in the newspaper. Mr. Jolly stated he felt that the ZBA should not be able to negotiate with wind farm companies with the 40 inch depth and the amount agreed to for decommissioning. He stated he felt there should be an engineering firm study done on the cost of decommissioning. Mr. Erickson thanked Mr. Jolly and invited Ms. Cotter to come forward.

Ms. Julie Cotter thanked the Committee for acknowledging that changes need to be made to the ordinances. She spoke of her concerns about Wind Farm Ordinances as she will have eight turbines around her home and would like to see people and environment protected from any future projects. She said that there have been measures taken in the surrounding counties to limit or halt future wind farms and asked that our County do the same. She thanked them for their time. Mr. Erickson thanked Ms. Cotter

Chairman Erickson presented for action a request by the McLean County Solid Waste Management Technical Committee to approve a household Hazardous Waste Collection Program Agreement between the City of Bloomington, Town of Normal and McLean County and the Ecology Action Center. He asked Mr. Brown to come to the table. Mr. Erickson asked the County Administrator to speak on this matter before taking a motion. Mr. Wasson stated Staff had a conversation with Mr. Brown because the current agreement has an evergreen clause that automatically renewed the agreement on January 1, 2018 because no action was taken in the previous 60 days before renewal. He stated that because of the automatic renewal, the current agreement does not expire until the end of 2018, so no action by the Committee is needed today. He stated that after conversations with the City and the Town it did not appear they would be taking action either. Mr. Wasson stated that the new agreement had a provision for a feasibility study for a permanent household hazardous waste facility in McLean County and if the Committee would like to discuss that, they can ask Mr. Brown to discuss today and bring back information in the future.

Mr. Beard asked Staff to clarify there was not action item on the agenda. Mr. Erickson stated that because the contract automatically renewed there is no need take action on the item. Mr.

Wasson stated that the Staff recommends that they do not take action on the item today because there is an agreement in place.

Mr. Beard stated that with regard to the feasibility study there was no RFP in the agreement and asked Mr. Brown to bring more information and detail in the next couple of months to the Committee. Mr. Beard indicated his concern is that the agreement suggests using public money saved from the previous hazardous waste event for that study. He stated that he would feel better about approved it if Mr. Brown could bring back some comparison information from other Counties. Mr. Brown indicated he would gather that information and bring it back to the Committee. Mr. Erickson confirmed the Committee felt they had time to discuss this study because they did not have to pass the new agreement today since one was already in place. Ms. Wollrab asked what Mr. Brown would be looking for with the RFP. Mr. Brown indicated they would likely subcontract with an environmental engineering firm that does feasibility studies for these types of collection facilities, and the firm would provide all of the information we would need to consider including such as how we could put together a facility, how many residents it would help, the costs, the liabilities, the permitting and the capital costs. Mr. Scritchlow asked if this could come back as an individual request and not part of the new agreement. Mr. Wasson confirmed it could come back as a separate item. Mr. Erickson confirmed for the record that based on staff recommendation they would not take action on the item 4a today.

Mr. Brown went over his report for the 2017 McLean County Household Hazardous Waste Collection Event. He stated it was the most successful event to date that reached over 3,000 households and even though there was more participation, they were able to reduce traffic congestion with a carpool lane.

Mr. Brown went over his report on the 2017 Annual EAC Solid Waste and Recycling Education Activity that detailed all activities they held in 2017 including education, outreach, technical services and preparation of the solid waste plan.

Mr. Erickson stated that the next item for information was the review of section 350-43 OO(2) of the Mclean County Code. He stated that he asked to have this put on the agenda because of a request from Member Cavallini. Mr. Erickson asked Staff to go over the process for a change in the ordinance. Ms. Woods explained the process including bringing an Amendment to the Committee for consideration and approval, then to the Executive Committee and then the Board for consideration and approval. Then, if approved, the Board would direct the Zoning Board of Appeal to notice up and hold public hearing, and then the Zoning Board of Appeals would send their recommendation back to the County Board for review and approval. Mr. Scritchlow asked when the public would first be allowed to make comment and if the Committee would have the opportunity to ask them questions. Mr. Knapp stated that per OMA the County Board rules allow for public comment at the Committee, but that process does not allow for questions from the Committee because they have a limited time to present. The Rules also allow the Committee to invite individuals to come forward and they could ask the public questions, but that is separate from public comment. He stated that once the Board sends it to the Zoning Board of Appeals that starts a statutory requirement for public hearings that is separate from our County Board rules.

Mr. Erickson stated that when asked to put this on the agenda, he suggested to Mr. Cavallini that he and Ms. Metsker meet with constituents and put together something for the County Board to consider. Mr. Erickson stated that since Mr. Cavallini and Ms. Metsker do not sit on the same Committee, they could meet with Constituents to put something together to bring to Land Use Committee without violating OMA. Mr. Erickson reminded constituents that based on the County Board vote, the County Board wants wind farms, so any proposal that comes forward needs to be cognizant of the fact that it may not end wind farms. He stated that he did not feel it was the best use of the Land Use Committee's time to guess at what the constituents want, but best for them to meet with two members and have members bring what they want to the Committee. Ms. Wollrab stated that she understand that people have desires to have adjustments made to the ordinance, but if we open this process we are opening the entire ordinance and not just the setback portion or a small portion of it. She stated that she felt they should look at best practices if we are trying to get the right thing for both the County and the citizens of the County and still be able to bring in wind farms. Ms. Wollrab stated that she is not sure we should just look at parts of the ordinance and suggested a sub-committee. Mr. Scritchlow asked if looking at a comprehensive energy plan over a 10, 20 or 30-year period would be worth doing. Mr. Wasson stated that he was not aware of local government unit having a comprehensive energy land management plan but stated that if directed by the Committee, Staff would research. He also noted that energy is largely regulated on the State and Federal level so may have limited control on some aspects.

Mr. Erickson stated that he understood what Ms. Wollrab was stating, but thought they could address that when the amendment was brought to the Committee. He stated that he hoped that Members Cavallini and Metsker would consider best practices when drafting an Amendment. He stated that he really would like to see what the constituents are wanting. Ms. Wollrab stated that she felt that we would be better off to look at this on a broader scale at first by finding what is being done nation or worldwide and taking that into consideration and then work down to our ordinance and add what can be done for least environmental impact.

Mr. Wendt stated that he has a problem with forcing residents to accept wind farms. He stated that he felt City of Bloomington or Town of Normal would not approve one in the middle of the City.

Mr. Beard asked if they had a time line in mind. Mr. Erickson stated he felt time would be determined by Members Metsker and Cavallini and their ability to meet with constituents and put something together that takes into consideration best practices. He reiterated that Members Cavallini and Metsker need to consider best practices if they want it to pass. Mr. Beard asked if Staff could work on best practices while Members work on an amendment with constituents. Mr. Erickson stated that he felt Members should work with staff to get best practices information and include in their Amendment. Mr. Beard stated he would feel better if they did that. Ms. Wollrab stated she would hope when Members Cavallini and Metsker come back to the Committee they have individuals knowledgeable of best practices available to provide information.

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Chairman Erickson indicate that the next item on the agenda was the positions filled report. Mr. Wasson stated that there were no positions filled in the last 30 days.

Mr. Erickson stated that the next meeting would be on May 3, 2018 at 3:30.

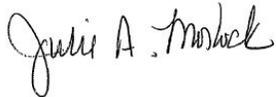
Mr. Erickson asked if there was any other business to come before the Committee. Ms. Wollrab indicated that she attended the Economic Development Council's McLean County by the Numbers event. She stated that in February the Board approved an agricultural tourism special use for the owner of Epiphany Farms and felt it was a positive note that it was one of the business highlighted to help bring in tourism. Mr. Erickson asked if there was anything further from the Committee; hearing nothing, he asked for a motion to adjourn

Motion by Scritchlow/Wendt to adjourn the April 5, 2018 Land Use Committee meeting.

Motion Carried.

The meeting was adjourned at 4:17 p.m.

Respectfully Submitted,

A handwritten signature in cursive script that reads "Julie A. Morlock".

Julie Morlock  
Recording Secretary