

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, 2019 at 3:30 p.m. in Room 400, Government Center, 115 E. Washington Street, Bloomington, Illinois.

Members Present: Chairman Chuck Erickson, Members Laurie Wollrab, Jacob Beard, Lyndsay Bloomfield, Sharon Chung, Shayna Watchinski and George Wendt

Members Absent:

Other Board Members Present:

Staff Present: Mr. Bill Wasson, County Administrator, Mr. Eric Schmitt, Administrative Services Director and Ms. Julie Morlock, Recording Secretary; Trevor Sierra, Assistant State's Attorney Civil Division

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

Others Present:

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

Mr. Erickson presented the minutes from the January 3, 2019 regular meeting for approval.

Motion by Chung/Beard to approve the minutes from the January 3, 2019 regular meeting.
Motion Carried.

Chairman Erickson presented the bills reviewed and recommended by the County Auditor. The prepaid total and fund total is \$2,019.97.

MCLEAN COUNTY BOARD COMMITTEE REPORT

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AS OF 1/31/2019

EXPENDITURE SUMMARY BY FUND

Land Use Committee

| FUND | FUND TITLE | PENDING TOTAL | PREPAID TOTAL | FUND TOTAL |
|------|--------------|---------------|---------------|------------|
| 0001 | GENERAL FUND | | \$2,019.97 | \$2,019.97 |
| | | | <hr/> | <hr/> |
| | | | \$2,019.97 | \$2,019.97 |


COMMITTEE CHAIRMAN

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

Chairman Erickson confirmed there were no requests to appear before the Committee.

Chairman Erickson presented for action a request by the McLean County Solid Waste Technical Committee to approve a resolution continuing to authorize participation in the statewide Consumer Electronics Recycling Act program for recycling of residential e-waste. Mr. Beard asked them to confirm this was same as last year. Mr. Wasson confirmed. Mr. Beard asked how costs to the County might be affected with changes to personnel implemented by Town of Normal at the location. Mr. Wasson stated that the State funds the recycling costs, collection will be under the Intergovernmental Agreement and further indicated Staff was aware there would be costs associated with collection at this facility. Mr. Beard asked if we would be incurring additional costs in the future. Mr. Brown was invited up and confirmed that McLean County's costs are not for the building, but for personnel, which is now mandated by the State. Mr. Wasson noted that we are prohibited from allowing residents to dispose of these items in other waste streams.

Motion by Wollrab/Chung to recommend approval of Request by the McLean County Solid Waste Technical Committee to approve a resolution continuing to authorize participation in the statewide Consumer Electronics Recycling Act program for recycling of residential e-waste.
Motion Carried.

Chairman Erickson indicated he was pulling from the Agenda the request by the McLean County Solid Waste Technical Committee to approve a host agreement between McLean County and American Disposal Services for the McLean County Transfer Station. Ms. Wollrab asked why the item was being pulled. Mr. Wasson indicated that staff is still in conversations with American Disposal and the agreement may change significantly. He stated Staff is still hopeful that a final a host agreement can be drafted that would meet the communities recycling goals. Mr. Beard asked if this would come back to a full committee meeting and not a stand up. Mr. Wasson confirmed. Mr. Erickson indicated he had questions about the agreement that have been shared with legal staff and hoped those would be addressed in the next draft.

Chairman Erickson presented for action a request by the Department of Building and Zoning to approve a resolution and two contracts for the demolition, clean-up and sealing of an abandoned well on a residential lot in unincorporated Weston on the northeast corner of Elm and 3rd Street, Chenoa, IL (Parcel No. 04-03-477-009). Mr. Dick indicated there was an agreement with a contractor for demolition and clean-up of the property and an agreement with a contractor for the sealing of the well. Mr. Wendt asked about estimate on cost. Mr. Dick indicated clean-up is \$9,200 and sealing of the well is \$1,485. Mr. Wendt asked how we would recover those costs. Mr. Dick indicated that this would be funded through a State grant. Mr. Wasson explained that the grant will cover our costs and then any proceeds of the lien would go to the State. Mr. Wendt asked them confirm that it would not ultimately cost the County. Mr. Wasson confirmed.

Ms. Wollrab asked if we ever use any of McLean County's equipment as mentioned in the contract. Mr. Sierra indicated this language is standard language in our County Code. Ms.

Wollrab asked if there was a reason to have the language in the contract if our equipment was not going to be utilized. Mr. Sierra located provision and indicated he did not see an issue with that provision as it says "in the event" and was included to protect the County should County equipment be utilized. Mr. Erickson asked if the Committee wanted to postpone and consider at stand up. Mr. Sierra indicated that they could consider at stand up, but language is part of the County Code. Mr. Wasson confirmed in County Code to protect the County from an unforeseen instance and provided an example. Mr. Erickson asked about timing for this contract. Mr. Sierra reminded them we have a time limit to complete the project based on notice given. Mr. Erickson stated he wanted to make sure he understood language but if Committee was ok passing, then he would go with the majority of the Committee. Mr. Beard stated that if this is the standard language in our Code and we do not intend to utilize our equipment, then he was comfortable passing it at Committee meeting. Mr. Wendt asked if there was a way to recoup our costs for time spent on this project. Mr. Wasson stated they would have to issue an ordinance violation, take it to Court to try to recoup maximum of \$500, but then we would incur time in court. Mr. Erickson asked them if an employee of contractor was injured while using County Equipment would we have any liability. Mr. Sierra quoted indemnification language that holds the County harmless. Ms. Wollrab indicated she felt that if the language was not in the contract then there would not be the option for them to borrow our equipment. Ms. Woods stated that we have to have this completed by April 20th and provided example of last minute situation and how language would protect the County. Ms. Wollrab indicated that if everyone else was ok leaving it in, then she would be ok as well.

Ms. Metsker asked if she could speak. Mr. Erickson recognized Ms. Metsker. Ms. Metsker stated that in the contract the contractor warrants all the work provided and asked Staff to confirm we would have someone validate that work was completed appropriately. She indicated she was especially concerned about any septic that could be on the property and it being property closed. There was discussion about County workers being there for the closing of the well and occasionally there to confirm work, but that there would not be someone on site all the time. Mr. John Hendershot of the Health Department was asked to come forward and he indicated he had been on site, probed the site and did not find a cistern but found an area where there might be a septic tank. He indicated they would ask the contractor to dig in that area. Ms. Metsker asked if he would be on site. Mr. Hendershot indicated they would be in site periodically and would be on site for the sealing of the well. Mr. Erickson asked about confirming work completed before making payment. Ms. Metsker indicated she was not concerned about the sealing of well, but the closing of any septic. Mr. Dick indicated they would confirm work was completed before submitting payment. Mr. Erickson asked them to report to the Committee before payment was made. Mr. Dick stated to the Committee that between the Building and Zoning Department and Health Department they would make sure work is completed. Mr. Beard stated that he was comfortable with their confirmation. Mr. Hendershot explained closing of septic including pumping and filling site with soil. Ms. Metsker asked him to confirm that if there was sewage in the tank they would have to hire a sub-contractor. Mr. Hendershot confirmed. Mr. Wendt asked if they did not have a file in the health department on this property. Mr. Hendershot confirmed there was not a file on this property. Mr. Wasson indicated that any systems on this property went back before Septic records. Ms. Metsker again stated she wanted to make sure this was

taken care of appropriately. Ms. Chung asked Mr. Hendershot to confirm that the contractor would have to pay someone to pump any sewage, but contractor can close the septic. Mr. Hendershot confirmed. Ms. Wollrab asked if the contract had language about making sure sewage pumped out. Mr. Dick indicated that the RHQ requires them to deal with hazardous materials in a property manner. Ms. Wollrab asked them confirm language was in the contract. Mr. Sierra indicated provision in the contract that addresses lawful manner to dispose of hazardous waste on the property. Ms. Metsker asked them to confirm it said lawful. Ms. Chung indicated section that said lawful manner.

Motion by Wendt/Beard to recommend approval of a resolution and two contracts for the demolition, clean-up and sealing of an abandoned well on a residential lot in unincorporated Weston on the northeast corner of Elm and 3rd Street, Chenoa, IL (Parcel No. 04-03-477-009).
Motion Carried.

Chairman Erickson indicated that the Ecology Action Center second and third quarter 2018 solid waste programs reports were next on the agenda and asked Mr. Brown to come forward. Mr. Brown went over reports and indicated they are working on 2018 year end reports. Ms. Chung thanked them for their work on the reports and the education programs they provide to the community. Mr. Beard asked about work on Illinois State University move out and materials students throw away. Mr. Brown indicated they have been working with several groups to try to address that situation. Ms. Wollrab also thanked Mr. Brown for work in the community. Mr. Beard asked if Normal had implemented the multi-family recycling ordinance. Mr. Brown indicated it goes into effect August 2019, and that they are working with them to provide resources for rental companies.

Chairman Erickson indicated there were no positions filled in the last thirty days under the purview of the Committee. Chairman Erickson indicated that the next meeting would be 3:30 p.m. on March 7, 2019.

Mr. Erickson asked if there was anything further for the Committee; hearing none, he asked for a motion to adjourn.

Motion by Chung/Watchinski to adjourn. Motion Carried.

The Land Use and Development Committee February meeting was adjourned at 4:20 p.m.

Respectfully Submitted,

Julie A. Morlock

Julie Morlock
Recording Secretary