

**Members Present**

Mr. Bertrand, Ms. Hertzberger, Mr. Tripp, Mr. Bertrand, Ms. Hertzberger, Mr. Martin, Mr. Washington, Mr. Scholl, Mr. Whitten, Mr. Marcotte and Mr. Hess.

**Members Absent**

Mr. Olthoff, Mr. Stauffenberg and Mr. James.

**In Attendance**

Mr. Kruse, Mr. McLaren, Mike Van Mill, Rich Howell, Don Pallissard, Marc Wilson, John Bevis, Norm Strasma, John Almer, Bob Gotkowski, Laura Dick, Charles Schutt, Walter Herman, Fred Vagt and Forest Greenawalt.

**1. Call to Order and Roll Call**

The meeting was called to order by the Chairman of the County Board, Mr. Kruse, at 9:00 a.m. Quorum Present.

**2. Public Comment**

Walter Herman – Sought clarification about proper zoning procedures for potential commercial use of a building in a residential area.

Fred Vagt – Concern about a commercial building with 14 foot overhead size doors being built in a residential area. (Displayed pictures for Board Members to view building).

Forest Greenawalt – Concern regarding a commercial building in a residential area.

**3. Approval of Minutes – January 13, 2006**

A motion to approve the minutes from January 13, 2006 was made by Mr. Whitten and seconded by Mr. James. Motion carried.

**4. Subdivision**

None.

**6. Zoning**

• **ZBA Case #05-16; Request for a Special Use Permit #6.03.0 (Firewood Sales) in an A1-Agriculture District**

Mr. Van Mill stated that this case was presented to the Committee as a result of an application filed by Charles Schutt, applicant, and James LaCost, property owner. The applicant proposes the operation of landscaping and wood sales business from the site. The application requests a special use in the agriculture zoning district for wood sales. The property is generally situated to the northeast quarter of Section 6, in

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Norton Township. The site is approximately  $\frac{3}{4}$  of a mile east of the Village of Reddick. The site is an irregular shaped triangular track containing 20 acres. The property sits on the west side of township road 19000 W approximately  $\frac{1}{2}$  mile south of Illinois Route 17 and will contain approximately 250 foot of road frontage. The site also contains several out buildings and the applicant testified that he will use the buildings in his landscaping business. There were three (3) neighboring property owners present who had questions of the applicant and those questions are summarized in the report and also are in the testimony in the transcripts. After deliberation of the findings of fact by the Zoning Board of Appeals, the ZBA voted 5 to 2 to recommend the approval of this special use for firewood sales on the site.

A motion to approve was made by Mr. Scholl and seconded by Mr. Marcotte.

#### Discussion.

Mr. Martin asked if the firewood sales are going to be made out of this location or if they were going to be processed here and then hauled back up north.

Mr. Schutt explained that for anything that would be processed it would be either delivered north or it would be delivered out at the site, but they are not anticipating using it for retail sales out at the site and are not looking at having traffic come to the site at all.

Mr. Tripp was concerned that the site would not end up a dump with bonfires and burning and asked Mr. Van Mill if the site would be monitored. Mr. Van Mill assured him that the site would be monitored.

Mr. Scholl said that he had gone out and looked at the site. It is located along the railroad tracks and there was a tar and chip road giving access to it. As for his point of view, he felt it would be an excellent location for this type of operation.

Mr. Washington asked if the wood was going to be processed in the north, stacked here and then taken back to the north.

Mr. Schutt explained that some of the wood (maybe) would be brought down for storage and some of it would be processed (i.e., taking logs and putting them into firewood or grinding them into light mulch) on site as well.

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A motion to approve this request for a Special Use Permit #6.03.0 (Firewood Sales) was made by Mr. Scholl and seconded by Mr. Marcotte. Motion carried.

- **ZBA Case #05-17; Request for a Rezoning from A1-Agriculture District to RE-Rural Estate District**

Mr. Van Mill stated that this case is being presented as a result of an application by Daniel and Tammy Riegel to rezone property from an A1-Agriculture to RE-Rural Estate for the purpose of constructing a new residence. The site is generally located in the northwest quarter of Section 35 in Salina Township and sits on the east side of road 9000 West approximately ½ mile north of Illinois Route 17. The site is within the 1-1/2 mile exterritorial planning jurisdiction of the Village of Bonfield and they did not have any objections to this request. The subject site is currently part of an 80 acre tract that is owned in the Riegel family. The applicants wish to divide a 3.44 acre parcel with 250 ft. of lot width for a family member who would also farm the property. After deliberation of the findings by the ZBA, the Board voted seven (7) to zero (0) to recommend approval of the rezoning of this request.

A motion to approve this request for Rezoning from A1-Agriculture District to RE-Rural Estate District was made by Mr. Scholl and seconded by Mr. Washington. Motion carried.

## 7. Solid Waste

None.

## 8. Transportation

- **SHOWBUS – Local Share Funding**

Laura Dick was present to make a presentation. Several months ago this issue was on the agenda. Because of some escalating expenses that were coming due and were not anticipated, the Committee asked for expenses to be tracked over a period of time.

Ms. Dick began by saying that the good news was that their ridership is up about 10%; ridership fees are up about 10% and their mileage is up about 5%. The bad news is, mostly, the fuel cost. It came close to double and it's a cost that has an impact twice on their local match. When they applied to the Federal government for reimbursement, certain expenses fall under a 50% reimbursement and other expenses fall under an 80% reimbursement. Unfortunately, fuel falls under the 50% reimbursement, so they are double hit when fuel costs goes up.

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Ms. Dick explained what they were doing in order to bring these cost down. To try to contain personnel costs, they have realigned the local office. They have taken over some of the administrative costs in their main office. The very large bus that they inherited when they began the program and cannot use in their heaviest demand area (Pembroke) has been sitting in their garage as they struggle to try to figure out a way to use it. With the fuel cost so high, they do not want to run it on runs to the West just to run the mileage up. They are working hard to get it switched over to River Valley Metro, which has a need for a bus of this size. They are also having difficulty, because of the legal requirements when transferring an asset from a rural to an urban.

Mr. Washington asked Ms. Dick if she was re-fueling through the County. Ms. Dick replied, "no". Mr. Washington felt there was a possibility that the County could do this and this issue should be researched to that effect (possibility of them switching the fuel over to the County).

Ms. Dick confirmed that they do not buy their fuel in bulk. They get a very small discount. Some of their suppliers will kick back some level of tax – others will not. However, in this area, the supplier will not, so they just get a small discount. There is a new program under CTAA (Community Transportation Association of America) and they are trying to negotiate for the rurals to get bulk purchase contracts set up. The bottom line problem with that for them is, they will have to come up with quite a bit of upfront money to do that and they will have to have a fuel line credit.

Mr. Washington suggested that Ms. Dick, Mike Van Mill and Jim Piekarczyk get together to see what could be done (relative to the fuel issue).

Mr. Van Mill said the expense side of this issue should be analyzed by the Finance Committee in order to determine a budget for this year if they are to proceed with this program.

A motion to have the Finance Committee review this issue was made by Mr. Tripp and seconded by Mr. Washington.

Further discussion.

Mr. Martin asked if they had numbers and if so, what the numbers were.

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Mr. Van Mill said it was hard to give a good analysis, because of the difference in budget years, but the local match that they're looking at right now is about \$8,000 for 2006.

Ms. Dick stated that their first quarter was \$10,000 (was paid out of the previous fiscal year); their second quarter in the calendar year is \$8,000 (some of that is going down because of the end of year fund raising with the Townships and Villages and that money is beginning to come in).

Mr. Martin asked when their fiscal year was.

Ms. Dick replied that they have multiple fiscal years depending on the grants. The fiscal year from IDOT that starts July 1<sup>st</sup>; a Federal that begins October and they also run calendar.

Mr. Martin said that they should have an analysis of where we actually stand for either our fiscal year or their fiscal year.

Mr. Van Mill said that's where the Finance Committee will come in to do this.

A motion to send this issue on to the Finance Committee for an analysis and budgetary process was made by Mr. Tripp and seconded by Mr. Washington. Motion carried.

## 9. Planning

- **Presentation on RC & D's**

Mr. Van Mill gave a brief overview. He began by saying that "RC & D" stands for, "Resource Conservation and Development Program". The RC&D most recently were authorized by the Federal Government and the Farm Security and Rural Investment Act of 2002. The purpose of the RC&D district is to encourage and improve the capability of volunteered local, elected and civic leaders to plan and carry out projects for research conservation and community development. The program objectives focus on quality of life improvements; the underline premise strives to build sustainable communities, appropriate growth and development, sound management and conservation of natural resources.

Information was distributed to the Committee.

Mr. Van Mill further said that there were many benefits to training RC&D districts, but one that should not be overlooked is the district's ability to pull together people, communities and grass route groups to unite for a

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shared purpose and pool resources to get work done. Federal legislation limits the number of districts to 450. According to most recent information Mr. Van Mill was able to gather, there are currently 375 districts nationwide. In Illinois, there are 12 districts. Today, an effort is underway to create an RC&D district in and around Kankakee County.

Mr. Van Mill introduced John Almer, County Board Member from Grundy County and Chairman of its Planning and Zoning Committee.

Mr. Almer distributed information to the Committee. He began by stating that probably a little over a year ago Jeff White (the CS Director of Grundy County) came to the Planning and Zoning Committee and started talking about RC&D's and what RC&D's could do for a county, municipalities within a county and what they could do to protect natural resources. It sounded like a good idea and they pursued it a little bit. Julie Buck, who is the Director of the Morris Community Foundation (which is similar to the Kankakee River Valley Community Foundation), is a good component. Around two (2) years ago Kankakee had really looked into RC&D's and tried to get some interest going. Kankakee County did a lot of the ground work, got the name out there and got the public somewhat interested and also got various county governments interested in it. So, what they are doing is really dovetailing on what Kankakee County started several years ago. What they would like to do is get six (6) counties (Kendall, Grundy, Will, Kankakee, Ford and Iroquois) to go in and form an RC&D. They have had somewhat mixed reviews. Kendall is hanging on a fence; Grundy is behind it; Will County – they talked to the County Board Chair and their Planning and Zoning Officer and they are behind this effort. What he hopes will happen is that Kankakee will get behind it also. In talking to the County Board Chair in Ford County, she is in favor of this and Iroquois is still a question mark, but the County Board Chair in Ford County, Deb Smith, said she would talk to the Iroquois County Board Chair and try to get them on Board.

Grundy County started out by having a meeting in Morris (just local within the County). At the end of the meeting when they explained the RC&D two (2) questions was asked – “Do you think we should pursue this RC&D idea?” (there were a bunch of yeses); “Is there anybody that thinks we should not pursue this RC&D effort?” (there were no ayes). They had a meeting in Medallion in September and had quite a few participants – basically, all five (5) of the six (6) counties were represented at that meeting and they were concerted that they should continue to pursue this. They have scheduled a meeting for February 23<sup>rd</sup> in Midewin at 7:00 p.m., and they would like to have representatives of the various counties

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present in order to ask the counties to sign on or go back to their Boards and ask that their Boards become sponsors of the RC&D, because the RC&D needs sponsors. The bad part about becoming a sponsor is that it costs money; the good part is, it's only going to be about \$250 per year. What this \$250 can do for you - once you establish an RC&D and get your council set up, you will start getting money or get it blessed by the USDA and you start getting money from the Federal Government to get projects started in your County. The one thing that the RC&D does for you is with the RC&D Coordinator (who is paid by the USDA and is given a car, office and everything to set-up the office – all funded by the USDA) takes direction from the RC&D Council.

Mr. Washington asked what type of projects they are talking about.

Mr. Almer stated that they could be all over the map. Typically, the projects were those that deal with quality of water issues; conservation projects; parks; forest preserves; wetlands, etc., but mostly along the lines of conservation; protection of natural resources, etc.

Mr. Whitten referred to the grant money that was available and asked if it could be used for the greenways and trails that the County has already started.

Mr. Almer replied, "yes" and further explained that what the Director of the RC&D does for you is, he is an individual who works on these issues full time. He has the ability with the other RC&D Directors and his other contacts with the USDA to network and connect with other people throughout the country and also is an excellent source of grant money.

Mr. Tripp asked would we partner with these other six (6) counties for a Director.

Mr. Almer replied, "yes" and whatever counties that finally come together to form this RC&D – you can't have just one (1) county, you have to have multiple counties to do this.

Mr. Almer explained that the initial and ongoing cost for sponsors for the RC&D is \$250 annually. This cost is to handle mailings and to get some money together to form a corporation; to form a non-profit organization. Once you are established, then the operational money actually comes from the Federal Government and the USDA. They don't dictate to you what you do – they are there to help you. He said that each county that

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comes in and wants to sign on with the RC&D would be sponsors, because the counties throughout the country are sponsors of the RC&D.

Mr. Bertrand asked what the difference is between the RC&D and our current Soil and Conservation District.

Bob Gotkowski explained that the Soil and Water Conservation District is more of a subdivision of State government that is organized to conduct soil and water conservation programs. Soil and Water Conservation Districts are also primary sponsors in most RC&D's and in fact, RC&D's has assisted them in jointly developing and implementing regional programs to benefit the local communities.

Mr. Almer stated that the next steps they need to take are to have the Counties that want to be sponsors of this RC&D pass resolutions. So, what he is asking of this Committee is to make a recommendation to the full Board that they pass a resolution supporting the RC&D or to become a sponsor. The next step they would take when they have a group of counties that come into this organization is to form a Steering Committee. This Committee would be composed of a representative of the County; a representative of the Soil and Water; representative of the Farm Bureau; and another, a representative from the County-at-Large. Will County recommend Economic Development. After the Steering Committee is put together, that's when you start the paperwork to form a non-profit corporation and start filling out the paperwork to apply to the USDA for RC&D status. Application will have to be in by the beginning (no later than mid) September.

Mr. Martin felt that we need some study on this. The various organizations should be brought into the mix and whatever they would recommend, bring it back to the Board and then we could decide.

Mr. McLaren asked would it be feasible to take a look at this and maybe contact some of these organizations and then bring it back to our next PZA meeting. The meeting is on the 23<sup>rd</sup>, the next PZA is on the 28<sup>th</sup> and the full County Board just met yesterday, so there could not be a recommendation until next month anyway.

Mr. Van Mill said there were a couple present today – the Community Foundation, Economic Development, Soil and Water Conservation District and NRCS. The only one that they do not have in terms of groups already discussed, is the Farm Bureau.

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Mr. Almer said that his Farm Bureau (he could not swear to it) has been in contact with Kankakee County's Farm Bureau and they were asking that the Farm Bureaus to sign on as a sponsor and also be a representative on the Steering Committee and on the Council. He and Julie Buck will be making a presentation to their Farm Bureau on Monday.

A motion to recommend that we join this particular partnership with the other five (5) counties and to move forward with the RC&D was made by Mr. Whitten and seconded by Mr. Tripp. Mr. Martin opposed. Motion carried.

Norm Strasma, Executive Director of the Community Foundation of Kankakee River Valley, stated that they were invited to participate and bring people together to know more about this. They have given this material to the local media and there should be an article in the Journal shortly. They have been responsible for sending out information to the Chamber of Commerces in the County and at this meeting and they need to go further with this. He would subscribe to the idea that they do want to get groups on board. He appreciated the County's interest in this and he was glad to hear that Kankakee County had some earlier interest in this issue a couple of years ago.

Mr. Martin said he objects to this because of the fact that we are going into this thing blind. We've gotten a short time presentation; we had it brought in this morning; we never heard of it before; I got this in my packet yesterday before the County Board meeting, but I'm afraid that's what we do too often, we go blindly into these things and then we (often times later on) find out then maybe we shouldn't. The reason he suggested they have a meeting with the various organizations that are to be involved, was to give us a little more time to study it. As a result, he wasn't opposed to this organization, but he couldn't vote for it blindly like this, seems to be the wrong action. So, as a result, he hope this would be delayed in order to give everybody a chance to have some input and then come back.

Mr. Washington said the vote they were taking today, he did not believe that it is binding them to anything except to proceed further with the investigation of this program and then make a recommendation to the County Board that we join. He did not see any harm in doing this at this point and time.

#### **10. Executive Session – 5 ILCS 140/7 – Potential Litigation**

None.

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## 11. Old/New Business

1. Mr. Martin asked where we are on the Rifle Range. Mr. Van Mill advised that this issue was referred back to the ZBA and since the State's Attorney's office was asked to be involved, he had not had time to meet with them yet.
2. Mr. Scholl asked that the question pertaining to "Public Comment" be put on the Agenda for the next meeting as to what was found out.

Mr. Van Mill said he could give an overview at that moment. He said the individual on property 102 applied for and received a Building Permit to build a house and an accessory building, There was concern about the use of that building. Mr. Van Mill said they have not given an Occupancy Permit yet, but there's construction going on at that site – both with the construction of that building and with the new home in the near future. The concerns that the property owners has is that this individual is a contractor on the side and that this building will be used for his contractor's business. In having heard those concerns, the Planning Office has sent certified letters to the individual saying that commercial business cannot operate out of there, it's the use of the building that's going to be an issue at this stage. It meets the size regulations and maybe the Committee may wish the Planning Office to investigate the possibility of changing their regulations for buildings of this nature in residential districts, but whether they have a 14 ft. height door is not an issue that they have addressed in their zoning regulations. He said what we're talking about is, the use of the building and until there is occupancy and see that occurring, it's a matter of enforcement.

Don Pallissard, Chief Building Official in the Planning Department, said that the property is 5 acres. The adjoining property owners are in similar situation of 5/6/7 acres, too. All three (3) of those property owners all have pole buildings. We don't have any requirements on door sizes and he's very similar to what's going on out there. He further said that they did send a registered letter telling him what he could do with the building – "personal use only" and he's aware of that.

Mr. Van Mill said that they have asked for some assistance to determine some of the issues in terms of commercial use and they're having some dialogue with the State's Attorney's Office in terms of violation.

Mr. Washington said that this issue will have to be looked at in depth, because a truck of that size sitting there with forms on a regular basis, that's commercial.

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3. Mr. Van Mill handed out a proposed Intergovernmental Cooperation Agreement between the Village of Herscher and the County of Kankakee. He said that a couple of months ago, the Mayor of Herscher came in and requested assistance from the Planning Department to update its land use portion and its economic development element of their 1993 Comprehensive Plan. Mr. Van Mill said he had discussed this with the Village and they came up with a scope of the project that it is outlined in this agreement and also a dollar figure. Rough estimates were done in terms of what it is going to cost the County and they have requested a financial commitment from the Village of \$3,000. The County would be subsidizing some of this cost, but Mr. Van Mill felt that it is in the best interest of the County to have an updated land use plan and that we cover some of it.

Mr. Washington said this is part of what the Regional Planning Commission have encouraged over time is that we get Villages to work with the County and give the support of the County to these Villages for the various things that they want to do, including planning.

Mr. Van Mill was not asking for any action today – only to review and this issue will be brought back on March 1<sup>st</sup>.

Mr. Martin agreed with Mr. Washington and said he felt this was a good thing.

## **12. Adjournment**

A motion to adjourn was made by Mr. Whitten and seconded by Mr. Hess at 10:13 a.m. Motion carried.

William Olthoff, Chairman

Chris Richardson, Administrative Assistant

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