

Members Present

Mr. Nixon, Mr. Vickery, Ms. McBride, Mr. Washington, Mr. Stauffenberg, Ms. Polk, Dr. Pagast, Mr. Tripp, and Mr. Flett

Members Absent

Ms. Bernard, Mr. James, Mr. Hess, Mr. Tholen, and Mr. Olthoff

In Attendance

- **Board Members**

Mr. Bossert and Mr. Arseneau

- **Department Heads**

Mike Van Mill, Bob Hart, and Jamie Boyd

- **Media**

Laura McElroy

Dimitrios Kalantzis

1. Call to Order

The meeting was called to order by the Vice-Chairman, Mr. Vickery, at 9:00 a.m. Quorum present.

2. Public Comment

- **Tom Knuth commented on the ZBA Case #11-11.**

3. Approval of Minutes –January 25, 2012

A motion to approve the minutes was made by Mr. Washington and seconded by Ms. McBride. Motion carried with a voice vote.

4. Zoning

- **ZBA Case #11-11; request for a Special Use Permit 121-99 (c) (14) c (Slaughterhouse) & a Variance to Section 121-99(c) (14) c (Lot Size & Lot Width) & Section 121-99(g) (1&3) (Setbacks) in the A1-Agricultural District, on parcel generally situated in Section 19 of Yellowhead Township. The petitioners are James & Ann Argyropulos and Harry & Georgia Katsiavelos, property owners and applicants.**

Mr. Skimerhorn stated that this is a request for a Special Use Permit for the Slaughterhouse owned by Peoria Packing on the north side of Grant Park. The facility has been there for over 40 years and has been in place since before the county had zoning. It has been zoned A-1 Agriculture and according to their ordinance slaughterhouses are special uses in the A-1 district. It has never had a Special Use. The applicants are planning on doing some remodeling to the building by putting a cooler on the north side and realigning the loading docks so the trucks will get off of the road. They are currently on the side of the road to the south side of the building. They are also intending to do some work to the sewage lagoon. In order to do these improvements, they are requesting a Special Use Permit for a slaughterhouse. Along with that, there are four variances that are required. Normally, a slaughterhouse is required to have 10 acres of ground but they only have a little over 2 acres. The second variance is for lot width. Normally, 500 feet is needed. They do have 500 feet if you combine both parcels but each parcel is only around 220 feet so they do not have the lot width on any single parcel. Also, the setback from a residence is normally 500 feet; the closest residence to this facility is 50 feet. They are also requesting a reduction in the front yard setback from the standard 50 feet to 30 feet and rear yard setback from the standard 100 feet to 20 feet. This went to the Zoning Board of Appeals and they voted 4 to 0 to recommend the approval of both the Special Use Permit and all the variances.

Mr. Stauffenberg made a motion to approve and Dr. Pagast seconded it. Motion carried with a voice vote.

- **K-4 Wind Farm**

Mr. Vickery stated that they are looking for a motion to extend this special use permit for three years with conditions that are part of the Special Use Permit.

Dr. Pagast asked what the reason to present the motion was.

Mr. Van Mill stated that in 2009 when the county board passed the Special Use Permit for the K-4 Wind Farm it gave them three years to get the project started. We are coming upon the three year anniversary and the K-4 Wind Farm has come in to ask for an extension of an additional three years. They are coming here for the purpose of extending the condition that was on the Special Use Permit originally for another three years.

Mr. Washington made a motion to extend the special use permit for a three-year period from its expiration date and to recommend to the county board for approval of an ordinance setting forth that Special Use Permit with the conditions necessary to complete the project in a timely fashion and Mr. Tripp seconded it.

Discussion

Dr. Pagast asked if it was true that until late last year the company couldn't go ahead and build anything because there was radar interference from radar installation in Joliet and finally after two and a half years it was finally approved.

Mr. Vickery stated that he is sure that they have to get all the necessary permits to move forward. We don't have anything to do with the radar interference. We are just extending it for three years.

Mr. Boyd stated that it was unexpected that the FFA approval required was even going to be necessary and certainly not with the level of zeal that was put forth by the FFA seeking much information that was unanticipated and all sorts of other things. It took quite some time for the K-4 Wind Farm group to get through that process. That was a contributing factor as to why the project did not get off the ground as soon as they would have hoped and certainly not as soon as we all would have hoped.

Mr. Vickery stated that the only thing that we are here to do today is to extend this for three years.

Original motion carried with a voice vote.

Mr. Boyd stated that he wanted to make sure that the minutes are clear and if this changes anybody's vote let him know. The motion appropriately worded in the minutes should reflect that this was a motion to extend the special use permit for a three-year period from its expiration date and recommendation to the county board for approval of an ordinance setting forth that special use permit with the conditions necessary to complete the project in a timely fashion.

Mr. Vickery asked if that concurs with the committee's understanding.

Dr. Pagast asked what the conditions were.

Mr. Boyd stated that in essence the conditions are that they will build them of an agreed upon specified height. The setback lines will be as they have been approved. The fee for the building permits is in the conditions and the fact that the county signs off on a road agreement that it had previously been negotiated with the townships and others. There is a condition that speaks to a piece of federal legislation that is currently in sunset that we are all hoping comes back to life to make the project easier, more efficient, and more profitable. The conditions will need to be in writing as part of the final ordinance not a part of this.

- **Consideration of a Moratorium on Wind Farm Application for 120 Days to Update Ordinance**

Mr. Van Mills stated that this has nothing to do with the K-4 Wind Farm. Many had gone to the Wind Farm Conference in February and had the opportunity to review the more recent trends with regulations. They went back and looked at our current regulations that are about three to five years old and they believe that there are some things that they want to modify and update so they are asking the board for consideration that they would be able to do that within a timely fashion. They are asking for the opportunity to review our ordinance prior to accepting any new applications, if they would get one. They do not have one and are not talking with anyone about having one. They are just looking at a way of making sure that they are prepared in the future.

Mr. Washington made a motion to approve and Mr. Tripp seconded it.

Discussion

Dr. Pagast asked if there was an ordinance committee where he can go and have input.

Mr. Van Mill stated that they would bring it to this committee before they take it to the Zoning Board of Appeals. They will ask this board to accept something that will go for public hearing prior to that.

Dr. Pagast asked if he got any more information about whether they definitely had to change or not. What were the points being considered for change?

Mr. Van Mill stated that setbacks, decommissioning, road agreements, storm water and erosion control, evaluate taxes and equalization, and height requirements.

Mr. Bossert stated that there has been some recent action at the legislative level. Some legislation has been introduced that would get the state involved in some of these issues where they currently are not. They are not sure where that is going. There may be objections at the county level with the state interfering with these decision making issues at the local level. It probably warrants a moratorium from any other applications coming in until we find out where this is going.

Mr. Vickery stated that historically those ordinances are brought before this committee.

Dr. Pagast asked if it would be helpful to get to the people bordering us and consult with them and have them help us sort out what is beneficial and what is not. They went through the same kind of experience.

Mr. Vickery stated that it might be helpful and he would turn to the Planning Department and they will make inquiries.

The original motion carried with voice vote. Dr. Pagast objected.

- **2012 Zoning Map**

Mr. Van Mill stated that by statute they have to pass an official zoning map every year. Mr. Skimerhorn makes the changes that were made in 2011 and puts them on our official zoning map. The county board has to ratify it annually.

Ms. McBride made a motion to approve and send it on to the full board and Mr. Nixon seconded it.

Mr. Bossert asked what modifications have been made.

Mr. Skimerhorn stated that in 2011 they had 10 zoning cases; 4 of them were rezoning with 1 being withdrawn. They had 1 variance that was denied. They had 3 special use permits and two text amendments. They also had 9 farmstead exemptions.

Mr. Van Mill stated that besides the text amendments the other ones would show up on the map as updates.

Original motion carried with a voice vote.

5. Planning

- **Kankakee County Historic Preservation Commission**

- 1. Intergovernmental Agreement with Village of Bourbonnais**

Mr. Vickery stated that this needs to be tabled.

Mr. Washington made a motion to table and Ms. McBride seconded it. Motion carried with a voice vote.

- **Grant Park Comprehensive Plan**

Mr. Van Mill stated that Grant Park has been in contact with the Planning Department to help them update their comprehensive plan. Their plan has not been updated in over 20 years and they feel that an update is necessary. They approached us as to what we typically do. What they have done in other communities is that they go back and look at how much time it would take and they gave them an estimated cost of about \$5000 to help them put a plan together. The \$5000 would cover time of staff and materials that would be necessary to do the planning and Grant Park accepted that proposal. They are asking the committee if this is acceptable and if so they would like a motion to proceed with helping the Village of Grant Park update its comprehensive plan.

Mr. Vickery stated that the Planning Department encourages the rural communities to get into a comprehensive plan. They went through this in Momence.

Mr. Stauffenberg made a motion to move forward and Mr. Washington seconded it. Motion carried with a voice vote.

- **Support of Kankakee River Roundtable Report**

Mr. Van Mill stated that in today's packet there is a report which is the culmination of about two years of work with the Planning Office, Economic Alliance, Community Foundation, and many people in the public. It is a grass roots approach of looking at the river as the biggest asset in our community and what do we

need to do to protect it and maximize its use. They ask that the committee take this back for the next month and review the policies that it is putting forth and if it meets with the committee's approval they would like to have this on the agenda of the county board in May for ratification of support. There is no action needed today.

Mr. Nixon stated that he has heard a lot of good things about what was done and Mr. Van Mill should be proud of it.

Mr. Van Mill stated that this was a very monumental program and he thinks they are going to see a lot of results. Over the years we have complained about the river being studied and studied with no action being taken. This has been able to build some public education of the issues with regard to our river. It outlines what the assets of the river are from a number of angles and some of the things that we need to do to make it more of an economic engine for the community. They are moving forward with some of the recommendations in the report. It has been a very successful project.

- **Energy Efficiency & Conservation Block Grant – K3 County (Courthouse)**

Mr. Van Mill stated that this is an amendment to a subcontract. The Village of Bradley did not use all of their funds that they were going to use for their project. We had some additional funds in this grant that could be used for other projects. The county has a project at the courthouse that they have not undertaken yet and they have found additional projects that this money could be used for. The additional money that was left over was \$6750 so they are asking for an amendment to the subcontract to add that to the courthouse project and to amend the project, as well.

Ms. Sadler stated that the project now will be for the HVAC automation system and the hot water temperature controls. The original proposal was for some lighting on the dome but they are not sure that they can get that done in a timely manner so they are going to put it all towards those two items.

Mr. Nixon made a motion to approve and Mr. Washington seconded it. Motion carried with a roll call vote of 10 ayes and 0 nays. Voting aye were Mr. Nixon, Mr. Vickery, Ms. McBride, Mr. Washington, Mr. Stauffenberg, Ms. Polk, Dr. Pagast, Mr. Tripp, and Mr. Flett

6. Transportation

- **Rural Transit Service Provider for FY 2013**

Mr. Lammey stated that every year in February they send out a letter to a number of people asking if they are interested in being our rural service provider for the following year. They wanted to make sure that the committee was aware that they sent the letter out, what was in the letter, what was in the list of qualifications, and who the letter went to. The deadline for them to submit to us is March 9 so they will come back next month to give the committee a list of who responded to that letter.

Dr. Pagast asked if there is an ordinance that says how many times a board member should be present at meetings. Maybe there should be one made just for discussion.

Mr. Vickery stated that he would discuss it with the chairman first and then he would bring it to executive. He doesn't think that it would be a very popular motion.

Mr. Stauffenberg asked how many providers are there that could possibly take on this task.

Mr. Lammey stated that he sent letters out to 14 people.

- **Illiana Study Alternative B3 Support**

Mr. Lammey gave a presentation regarding the Illiana. It was brought to the Highway & Building Committee on the 16th and to the Land Use Transportation at the Regional Planning Commission on the 23rd. The B3 Alternative has the lowest cost because it is the shortest and has the least urbanized area that it is moving through. All of the A alternatives have the highest cost and the highest potential toll revenue but if you combine those there is low financial viability for the A alternatives. The B alternative has the highest financial viability. The recommendation of the study team of the Illiana is B3. There is a resolution in today's packet supporting the B3 alternative.

Mr. Nixon made a motion to support the resolution and Mr. Washington seconded it.

Discussion

Mr. Bossert stated that they hope to continue discussion with our own communities, namely Manteno, Grant Park, and Momence, to also support this resolutions so we can go with a unified voice as a county to offer this support. At the same time, we are having close discussions with Will County. We are on the same page as them with regards to the B3 corridor. In working together, he thinks that we are going to come up with common support of that corridor. We are also talking to Lake County attempting to solidify their support of that, as well. They may have a tougher situation with the east end of B3 splitting Lowell and Cedar Lake. There is an alternative at the east end that would route to the south of Lowell; although, the consultants are saying that venturing south into swamp lands is problematic.

Mr. Vickery stated that Kankakee County has been way out front on this. By being at the table, he thinks that we have been able to influence the route and possibly the result.

Original motion carried with a voice vote.

Mr. Bossert stated that he discovered yesterday that there is a piece of legislation that will also support Illiana in that this is sponsored by Senator Hutchinson. It enhances the powers of the public/private partnership legislation in terms of how it can acquire property. There are ongoing efforts that would help move this along and not get distracted from some of these side issues. We are thankful for Senator Hutchinson for these and will watch this with interest.

7. Old Business

Dr. Pagast stated that he wanted to make a progress report on the solid waste plan. There is progress being made but it got stuck with the working committees. The last working committee was done November 25. The plan is that in the working committees it has to be discussed and a recommendation has to be made which then goes back to the planning director. He would recommend since nothing has been happening in three months that there would be special meetings so the whole plan does not get buried in the working committee.

Mr. Van Mill stated that the working committee came up with a plan that was acceptable to them in November which allowed them the ability to go public with the plan which they did with a public hearing in January. They allowed the public an enormous amount of opportunities to speak and to provide input. Every working committee meeting involved the engagement of the public from the beginning of the meeting to the end. He has gotten a lot of compliments from people saying that this has been the most open process that has ever been made. They had a public meeting where they asked everybody that had not had an opportunity to speak during the whole process to come forward. They even said that if people had written comments they would give them until the middle of February to turn them in. We are two weeks

from the time that the public comment opportunity was closed. Now we need to get back together as a working committee with all those comments and with the transcript from the public hearing and come up with what they believe is the final draft of the plan and get it moving.

Mr. Washington stated that several years ago when we had the hearings for the solid waste disposal area we had people from many areas of the county that was skeptical about the process that we used and how we came about our decisions in order to bring this process together. He compliments Mr. Van Mill on the time taken to get as many comments and involvement as possible simply because we know the negative experience that we have had in the past with being accused of rushing things through. We haven't rushed anything this time and we have to give as much opportunity as possible for whoever would like to make comments. It may seem like it is dragging but it is a deliberate attempt to get as many comments about the process.

Dr. Pagast stated that the plan should have been renewed up to five years in 2010. In the updated plan everybody in the county will report but no consequences were talked about if they don't report. In the updated plan there was a moratorium for landfill for five years; however, conditions were made that basically meant that if you go by the conditions there is no moratorium. He wants to call special meetings for the working group.

Mr. Vickery stated that many times in work like this there is going to be criticisms for moving too fast or too slow so his criticism is noted.

Dr. Pagast stated that it shouldn't take two years for a small addendum to be made.

Dr. Pagast stated that there was an article in the paper about the wind farms. It is basically saying that for three months there has been negotiations going on but it was going nowhere. It would be worthwhile to discuss it. The rumor on the street is that this county wants \$40,000 per turbine charge which is more than anybody else.

Mr. Van Mill stated that that is what Livingston County charges.

Dr. Pagast stated that he would like to have things explained to him when he asks.

8. New Business

9. Adjournment

A motion to adjourn the meeting at 9:55 a.m. was made by Mr. Washington and seconded by Mr. Nixon. Motion carried.

Jim Vickery, Vice-Chairman
Joanne Langlois, Executive Coordinator