

**Members Present**

Mr. Nixon, Mr. Vickery, Ms. McBride, Mr. Washington, Mr. Olthoff, Ms. Polk, Dr. Pagast, Mr. Tripp, Mr. Hess, Mr. Tholen, Mr. James, and Mr. Flett

**Members Absent**

Ms. Bernard and Mr. Stauffenberg

**In Attendance**

- **Board Members**

Mr. Bossert and Mr. Arseneau

- **Department Heads**

Mike Van Mill and John Bevis

- **Media**

Dimitrios Kalantzis

**1. Call to Order**

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

**2. Public Comment**

**3. Approval of Minutes –April 25, 2012**

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

**4. Zoning**

- **ZBA Case #12-01; request for a Special Use Permit to Sections 121-99.19 (Commercial Landscape Waste Composting Facility) in the A1 District, on a parcel generally situated in Section 24 of Essex Township. The petitioner is Patrick Joyce, Joyce Farms Recycling, Inc., property owner and applicant.**

Mr. Skimerhorn stated that this is a request to increase the footprint of the existing special use permit located in Essex Township from 13.62 acres to 22.08 acres. The purpose of the expansion is to allow the height and width of the recycled material to be reduced as suggested by the EPA requirements. The volume of material being processed or received at the facility will not change. On May 14 ZBA voted 6 to 0 to approve and there were no objectors present.

**Mr. James made a motion to approve and Mr. Washington seconded it.**

**Discussion**

Mr. Bossert asked if the volume of the material is part of the EPA permit.

Mr. Skimerhorn stated that it is. He believes that they are permitted for 170,000 yards maximum. There is no modification to that number. They testified that they didn't even come close to that amount.

Mr. Tripp stated that in months past they have had some complaints from the neighbors.

Mr. Skimerhorn stated that they do not have any outstanding complaints.

Dr. Pagast asked if out-of-county material can be accepted at that facility.

Mr. Olthoff stated that out-of-county landscape waste can be accepted.

**The original motion carried with a voice vote.**

- **ZBA Case #12-05; request for a Variance to Section 121-99.b.11.v (Lot Width for Farmstead Exemption), on a parcel generally situated in Section 28 of Rockville Township. The petitioner is Clara Lucille Webb, property owner and applicant.**

Mr. Skimerhorn stated that this case is a little unusual as they asking for a variance for having too much lot width. There is a creek that runs through Ms. Webb's property and she would like to deed about .2 acres of ground to her son who owns the house on the left. In order to do that, she needs a farmstead exemption on her property otherwise she will remove her legal nonconformance status. The ordinance requires that you have a maximum lot width of 499 feet for a farmstead exemption; she has 682 feet. Zoning Board voted 5 to 0 to approve and there were no objectors.

**Mr. James made a motion to approve and Mr. Tripp seconded it.**

**Discussion**

Mr. Hess asked how much property is on the lot that they are going to give the .2 acres to.

Mr. Skimerhorn stated that he thinks that he has 2 acres now so it would be 2.2 acres.

Mr. James asked if the .2 acres will be joined in with his and have the same tax number so a new parcel is not being created.

Mr. Skimerhorn stated that they are not creating a new parcel; it will still be two parcels. It will just be divided at the creek which makes more sense for maintenance issues. It will still be just two parcels.

Mr. Nixon asked what this makes her son's frontage.

Mr. Skimerhorn stated that he does not have that figure. It adds about 50 ft. to his frontage.

**Original motion carried with a voice vote.**

- **ZBA Case #12-06; request for Rezoning from A1-Agricultural District to A2-Agricultural Estate District on a parcel generally situated in Section 07 of Rockville Township. The petitioners are Gerald & Marilyn Rice, property owners and applicants.**

Mr. Skimerhorn stated that Mr. and Mrs. Rice would like to rezone this piece of property from A1-Agricultural to A2 to allow their son to build a house so that he can continue to help his father farm the ground. They own 34.93 acres. Mr. Rice's brother owns the land to the left of this parcel. The 74 acres was divided when their father passed away. Zoning Board voted 5 to 0 to approve and there were no objectors.

**Mr. Washington made a motion to approve and Mr. Tholen seconded it.**

Mr. James asked if this could be subdivided again once the zoning takes place on the ten acres.

Mr. Skimerhorn stated that that is always possible. The frontage won't allow it so they would have to come in and get a lot width variance to make that happen.

Mr. James stated that they had a problem in Momence where they had some ten acre parcels divided off and one person decided to develop one of his ten acres.

**Original motion carried with a voice vote.**

- **ZBA Case #12-07; request for a Special Use Permit to Section 121-99.c.28 (Kennel) in the A1 District and Variance to Section 121-99.c.28 (distance from zoned residential district), on a parcel generally situated in Section 14 of Essex Township. The petitioners are Michael and Rene Kalmes, property owners and applicants.**

Mr. Skimerhorn stated that the Kalmes are asking for a special use permit for their kennel that they operate on their 15-acre parcel in Essex Township. They have been operating there for 8 or 9 years never realizing that they needed a special use permit for it. Back in December, a neighbor to the south complained about noise so they went out and investigated and tagged them for it. That is what precipitated this request. The variance is required because the ordinance says that a kennel cannot be within 500 feet of a residence and the nearest house is 115 feet away. During testimony, the Kalmes testified that they have made improvements to the situation such as adding shock collars, guillotine doors, and separating out the dogs to reduce the noise. The neighbor did testify that that has dramatically helped the situation and she no longer had any issues with it. Zoning Board voted 4 to 2 to approve. Both neighbors on the north and south were there but they were not there to object. The zoning board did recommend 10 conditions be place on the property. They were as follows:

1. The special use permit is granted to Michael & Rene Kalmes doing business as “Kalmes Acres German Shepherds” and is not transferable to any other entity.
2. The owners/operators shall obtain and maintain any and all necessary county planning, county, state, and federal permits and licenses as may be required.
3. The owners/operators shall comply with all county, state, and federal rules and regulations.
4. Obtain building permit form the County Planning Department and maintain the operation in a safe manner.
5. The special use permit shall become null and void if the operation ceases to operate for a consecutive twelve (12) month period.
6. The owners/applicants are required to install a Health Department approved septic system for the kennel operation.
7. The kennel shall have a maximum limit of 60 dogs.
8. Exterior kennel runs shall be divided between the north and south side of the building with 50% on each side.
9. A privacy fence shall be installed along the north side of the property in the vicinity of the kennel.
10. All animals must be housed indoors by 8 p.m. every day.

**Mr. James made a motion to approve with the conditions as presented and Mr. Vickery seconded it.**

**Discussion**

Mr. Tripp asked who will enforce the conditions.

Mr. Skimerhorn stated that they are not requiring any inspections but the Planning Department will oversee it. They will react to any complaints.

Mr. Hess stated that they are within 1.5 mile of Essex. Do they have a pre-annexation agreement where it would override the county’s permit?

Mr. Skimerhorn stated that the Village of Essex does not have a comprehensive plan so the 1.5 mile exterritorial jurisdiction does not apply.

Mr. Vickery stated that the variance would not be issued until they comply with the ten conditions. Is that correct?

Mr. Skimerhorn stated that the variance would be issued with the special use permit subject to them meeting the requirements.

**Original motion carried with a voice vote.**

## **5. Planning**

- **Historic Preservation Commission – Appointment of Jane Johnson**

**Mr. Vickery made a motion to approve the appointment and Mr. Washington seconded it. Motion carried with a voice vote.**

## **6. Transportation**

Mr. Lammey stated that there are three major sources of funding this year in transportation and one of them is our typical federal funds. The amount of that is \$190,549; the county is providing the local share which is 20% or \$47,639. They don't have the contract yet but as soon as they do they will bring it back to this committee for approval. The second source of funds is state metro planning funds which are strictly state funds; there is no local match. They don't know when these funds are going to come through this year; they are waiting on the state. The amount of money there is \$60,000. Some of it is spend inside the MPO area and then \$15,000 of it is spent outside the MPO area. The last one that they were funded with this year they competitively sought from IDOT for a specific purpose and they were awarded \$20,000 to continue the state traffic safety audit process that they have been involved with the last year or so. In front of the committee today are three contracts.

- **Contract with IDOT (SPR)**

This is for the State Planning & Research funding for the Traffic Safety Audit. It is for \$20,000 with 20% coming from the county. They are asking the committee to authorize Mr. Bossert to sign this contract.

Mr. James asked what would be the effect on us if we didn't get the funding or could not come up with our 20% share.

Mr. Lammey stated that they don't sign the contract if they don't get the funding so there is no problem.

Mr. James asked how much damage are we talking about if we don't get the funding.

Mr. Lammey stated that there would be none with the grant that is in front of us now because they would not do it if they didn't get the grant. There is no in-house staff involved in it. It is our regular funding that would cause a problem if we didn't get it but we have gotten that for 30 years so he doesn't think that there is any problem there.

**Mr. Vickery made a motion to authorize Mr. Bossert to sign the contract and Mr. Washington seconded it. Motion carried with a roll call vote of 13 ayes and 0 nays. Voting aye were Mr. Bossert, Mr. Nixon, Mr. Vickery, Ms. McBride, Mr. Washington, Mr. Olthoff, Ms. Polk, Dr. Pagast, Mr. Tripp, Mr. Hess, Mr. Tholen, Mr. James, and Mr. Flett.**

- **Contract with Hutchinson Engineering**

Mr. Lammey stated that in today's packet is a draft contract with Hutchinson Engineering for the continuation of the Illiana consultant assistant work that they started last year. They do not have the state metro planning contract in hand and probably won't until sometime in early July. He is giving a contract for them to sign with a consultant that they do not have the money for from the state but typically the state tells them that they can bill from July 1 even if they don't have a signed contract. He wants to make sure that they have everything in place to do that whenever that happens.

**Mr. Hess made a motion to authorize Chairman Bossert to sign the contract and Mr. Tripp seconded it. Motion carried with a roll call vote of 13 ayes and 0 nays. Voting aye were Mr. Bossert, Mr. Nixon, Mr. Vickery, Ms. McBride, Mr. Washington, Mr. Olthoff, Ms. Polk, Dr. Pagast, Mr. Tripp, Mr. Hess, Mr. Tholen, Mr. James, and Mr. Flett.**

- **Contract with Highway Traffic Safety Services**

Mr. Lammey stated that they had a contract with Highway Traffic Safety Services last year and they are proposing to continue that contract this year for some traffic studies in town. There is no shortage of things to look at. They got a call for the Mayor of Bourbonnais adding something to the list. They don't have the state funds for this yet but he wants to have the contract in place for whenever they do get the state contract.

**Mr. Vickery made a motion to authorize Chairman Bossert to sign this contract and Mr. Hess seconded it. Motion carried with a roll call vote of 13 ayes and 0 nays. Voting aye were Mr. Bossert, Mr. Nixon, Mr. Vickery, Ms. McBride, Mr. Washington, Mr. Olthoff, Ms. Polk, Dr. Pagast, Mr. Tripp, Mr. Hess, Mr. Tholen, Mr. James, and Mr. Flett.**

- **Urbanized Area Discussion**

Mr. Lammey stated that at the last Highway Committee meeting it was suggested that they do some education on urbanized area changes; therefore, today he has a presentation on the urbanized area.

Mr. Lammey stated that MPO stands for the Metropolitan Planning Organization and is responsible for spending federal transportation monies in the urbanized area. Current members of the MPO are Aroma Park, Bourbonnais, Bradley, IDOT, K3 County, Kankakee, and River Valley Metro as a nonvoting member.

Mr. Lammey stated that the census bureau every ten years decides what the edges of the urbanized area are and the MPO has to adopt that urbanized area. On the current urbanized area map Manteno is outside of the current urbanized area and Sun River Terrance is inside. The number of 65,073 determines our share of federal funds from a lot of things – transit funding, highway funding, urban planning funds, HUD money, etc. The new urbanized area map was issued on March 26 and we have two major switches. Manteno is now inside the urbanized area and Sun River Terrance is now outside and the magic number is now 81,926 so any apportionment of federal funds that come to this area is now based on 81,926 instead of 65,073.

Mr. Lammey stated that as soon as the new urbanized area is adopted, which will probably be in August, there will be a new intergovernmental agreement among MPO members so that agreement will come back to this committee for resigning again. Manteno now receives a separate allocation of federal transportation money that they will no longer get because they are no longer a separate area. Also, there are some transit implications in Manteno. The allocations for Metro have not included the population of Manteno up until now but from now on it will so that 81,926 will determine the allocation again for Metro. Manteno is already

being served by Metro before they got the allocation so that population of Manteno that was being part of the county's rural transportation allocation now goes to Metro for urban transit. The money that used to come to the county for providing service in Manteno because it was a rural area will now go to Metro for providing service because it is now an urban area.

Mr. Lammey stated that if Sun River Terrace is outside of the new urbanized area it really doesn't impact them because they don't have any classified highways on which to spend the money anyway. Sun River is currently in Metro service area but Metro doesn't provide service. If it is outside they can legally provide service to them from the rural transit. They have been doing it anyway because they go to Momence and back every hour so they provide incidental service to Sun River Terrace. Now they will be able to actually publish a schedule of when they will be at Sun River Terrace.

Mr. Bossert asked him to explain classified roads.

Mr. Lammey stated that there are only a few roads in the area that are classified. For instance, Court Street and Station Street are classified. Federal transportation dollars can only be spent on classified roadways. Typically, about 18% of the total miles of a community are classified. We have way more miles of classified roadways than we have money to fix any of them. After Burns Road the next project they spend federal transportation money on is Hobby and it won't be until 2023. That is how little money they get from that.

Mr. Washington asked if the number of roads influence the amount of money that they get.

Mr. Lammey stated that it does not. It is an allocation based on population. Some MPO's are taking roads off of the classified system because there are some rules on those roads that you can and cannot do that are kind of onerous and if you can't spend money to fix them anyway why would you want them on there. For a long time, people wanted as many roads as they could because they wanted the flexibility to be able to spend it anywhere that they wanted but when roads cost \$4 million a mile and you get \$600,000 a year that sort of fades in comparison. They will bring that classified system to the committee. They will present their recommendations to the MPO Committee on June 7 and they will take action sometime in August. The reason that they are waiting until August is because they want to make sure that Manteno gets their full FY13 allocation for this year rather than starting sometime in the middle of the fiscal year.

Mr. Arseneau asked how much more money are we going to get.

Mr. Lammey stated that the tricky part is that the total pot went down but they may get a larger share of a smaller total pot. There are also two new MPO's in Illinois so it starts to get complicated from that side.

Mr. Bossert stated that the big debate in Washington over the federal transportation bill is what we are arguing about – getting a piece of that back locally, not just to the state. All the talk about the federal gas tax is impacting us locally in terms of a direct impact on our federal road system.

Mr. Lammey stated that ten years ago they used to get enough federal allocation to be able to program a highway project that was a mile in length every two years. Now when it cost \$4 million dollars to do a mile of highway and they get \$600,000 we are years out before we can do anything. The federal transportation bill is pretty much useless to us. It used to be that they played it so that every sitting mayor if he got elected once and reelected once had a shot at a project inside those eight years. He can't make that promise

anymore which means that mayors are coming to these meetings that have no reasonable expectations of getting anything out of it which is not a good situation.

Mr. Washington stated that the more the money goes down the more complications come in and the less money we get. The ultimate end of this thing is going to be what?

- **Illiana Study**

Mr. Lammey stated that the last time that they talked about the Illiana they said that there was one alternative and they were happy about that alternative. He can no longer say that there is one alternative because there are three now. Whenever you put it on a map people don't like where it is at because they live there and a number of new alternatives will pop up. Mr. Lammey showed the map of the three alternatives. There is a meeting on June 6 that everyone can attend if they would like. It will be in Mattson at what used to be the Holiday Inn.

Mr. Vickery stated that he would assume that there would be an interchange on Rt.1.

Mr. Lammey stated that they are talking about interchanges at every state highway. He thinks that they are going to try to encourage them to talk about one that is south of the new south suburban on whatever their cargo interest was going to be because it is a long stretch between those two.

## **7. Old Business**

### **8. New Business**

Mr. Van Mill introduced their new intern, Reis Collier who started last week. He is going to be a sophomore in college in Boston, Massachusetts. He is in mathematics and he is here to do some statistical analysis of our economy.

Mr. Van Mill stated that their involvement in the River Round Table has resulted in a lot of positive things with regard to the river from a number of different angles. The word has gotten out that they are taking a very aggressive approach to it. In fact, the Field Museum in Chicago has been very much involved in our meetings recently. The Field Museum has agreed to provide interns and their scientists this summer to do a nature inventory. With very little investment from the county, about \$2700, they are going to be down here to do a natural inventory for us in order to determine from an ecotourism perspective - where are some of the things here that make us unique compared to other places? That will be the start and the foundation for that initiative.

Mr. Olthoff asked if there would be restrictions connected to that.

Mr. Van Mill stated that they are not there yet. They just want to see what we have.

## **9. Adjournment**

**A motion to adjourn the meeting at 9:40 a.m. was made by Mr. James and seconded by Mr. Washington. Motion carried.**

Bill Olthoff, Chairman  
Joanne Langlois, Executive Coordinator