

Planning, Zoning, and Agriculture
Committee Meeting
June 25, 2008

Members Present

Ms. Hertzberger, Mr. Hess, Mr. James, Ms. McBride, Mr. Marcotte, Mr. Scholl, Mr. Tholen, Mr. Tripp, Mr. Washington, and Mr. Whitten

Members Absent

Mr. Olthoff, and Mr. Stauffenberg

In Attendance

Mr. Kruse, Mr. McLaren, Mr. Bossert, Ms. Bernard, Mr. Vickery, Rich Howell, Eric Sadler, Vicki Carlson, Leigh Marcotte, Laura from the Bourbonnais Harold, Delbert Skimerhorn, Ken Nelson, John Bevis, Marc Wilson, Mike Lammey, Mike Martin, Jamie Boyd, Bob McElroy, and Jim Greenstreet

1. Call to Order

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

Josh Carlson spoke concerning the Delegation Agreement.

3. Approval of Minutes- May 28, 2008

A motion to approve the minutes of May 28, 2008 was made by Mr. Whitten and seconded by Mr. Washington. Motion carried.

4. Subdivision

• **Update of Subdivision Ordinance**

Mr. Skimerhorn went over the changes in the Subdivision Ordinance with the Committee. He is not seeking approval today. He would like the Committee to review the Subdivision Ordinance and bring back any questions they may have to the next Committee Meeting.

5. Planning

• **Greenways and Trails Resolution of Support**

A motion to support the Greenways and Trails plan was made by Mr. Washington and seconded by Mr. Whitten to support. Motion carried by a roll call vote of 11 ayes and 0 nays.

• **Appointment of Revolving Loan Fund Committee Member**

Mr. Kruse stated with Mr. Martin going off the board a few years ago, his position on the Revolving Loan Fund Committee needs to be filled. He would recommend Cherrie McBride serve on that committee.

A motion to appoint Cherrie McBride to the Revolving Loan Fund Committee was made by Mr. Washington and seconded by Mr. Marcotte. Motion carried.

• **Reappointment of Terry Johnston to the Board of Examiners and Appeals**

A motion to reappoint Terry Johnston to the Board of Examiners and Appeals was made by Mr. Hess and seconded by Mr. Tholen. Motion carried.

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6. Old/ New Business

- **TIF District/ Enterprise Zone Discussion**

Ms. Hertzberger stated Mr. James requested that this item be placed on the agenda. He wanted to discuss and reevaluate how the Enterprise Zones were being used.

Mr. James stated the reason this is brought up is because it seems as though there are rules and regulations with the Enterprise Zone that are supposed to be in place and he thinks it is time the Committee reviews what rules and regulations we are planning on enforcing. It seems as though developers go to the communities first and then by the time it is brought forward to the County, the County becomes the bad guys if it turns the development down.

Mr. Kruse stated most of these are asked for by the Communities because they are within the Communities, and that is why the Communities are asked first. He suggested having an educational program on the Enterprise Zone.

Mr. Boyd stated his office has history on the Enterprise Zone and TIF District. He will work on a memo to present to this Committee and the Planning Department with regards to the legal aspects and what the requirements are of this legislative body.

- **Delegation Agreement**

Ms. Hertzberger asked for an update on the Delegation Agreement.

Mr. Kruse stated that he has talked to the State and they have received the six items the County Board asked to have included in the Delegation Agreement, but he is not sure who is reviewing it or where that process is with the State. He will contact them again and try to follow through with them again. The County will probably draft its own Delegation Agreement and send it to the State. The State does have the application for the Solid Waste Enforcement Grant and they are reviewing that. He is anticipating an answer within the next few weeks.

Mr. Scholl stated the concern is that there are groups within the County that are going to push the envelope. Is there something the County can do in the interim to ensure that inhabitants of the County are not being victimized by the abuse of the lack of enforcement? The problem hasn't gone away.

Mr. Boyd stated it is important that the committee understand that we are talking about the enforcement of a State law and the IEPA. With everything else that is going on in Springfield with the IEPA and everyone's budget, he has been recently notified by the agency that there is a shift in who is going to be handling Kankakee County from the IEPA stand point. That may be part of the reason why they have been slow to respond to the County's request. He understands the County would like to get something done but the problem is that we are dealing with the State of Illinois, they do not act quickly.

Mr. James stated in his opinion the County had no business getting involved in the Delegation Agreement in the first place. If a facility is licensed and is supposed to be inspected by the State, it is their job to do the inspections, it is their responsibility.

Ms. Bernard suggested reinstating the Delegation Agreement without the provisions. The County has an obligation to protect the health, safety and welfare of the citizens of the County.

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Mr. Vickery stated he is not a member of this Committee but he would like to see the County move forward with the Delegation Agreement.

Mr. Boyd stated this Committee needs to be aware that Waste Management has filed an additional appeal with regard to the landfill. The County's brief is due in September. In the past the County has used outside counsel for this, he is presuming it is the County's intention to continue to use outside legal counsel. There are two options, the County can do nothing and spend no money and file no documents, or the County can request that Mr. Helsten and his team file a brief in response to the appeal filed by Waste Management.

Mr. Kruse suggested that this be brought up at the County Board Meeting under Old Business.

7. Adjournment

A motion to adjourn the meeting at 10: 08 a.m. was made by Mr. Whitten and seconded by Mr. Marcotte. Motion carried.

Karl Kruse, Chairman of the County Board

Stephanie Jackson, Executive Coordinator