

Members Present

Mr. Tripp, Mr. James, Mr. Martin, Mr. Olthoff, Mr. Washington and Mr. Scholl

Members Absent

Mr. Stauffenberg, Mr. Bertrand and Ms. Hertzberger

In Attendance

Mr. Kruse, Mr. Whitten, Mike Van Mill, Brian Billingsley, John Bevis, Steve McCarty, Mark Rodgers, Jim Piekarczyk and Donna Shehane

1. Call to Order

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

2. Public Comment

Mr. Whitten would like to have something regarding Stone Water Control placed on the next agenda.

3. Approval of Minutes

A motion was made by Mr. Tripp and seconded by Mr. Scholl to approve the minutes of the October 19, 2004 meeting. Motion carried.

4. Subdivision

Blanchette Woods- Extension for Recording Final Plat

Mr. Van Mill stated that the final plat Blanchette Woods Subdivision was approved by the County Board in July of this year. After that approval occurs, the developer is supposed to go around and get the signatures of the various entities that are required before he files the final plat. Our subdivision regulations require that it be done within 60 days of the approval of the final plat. Mr. Blanchette is requesting an extension for recording the final plat. He is asking for an additional 60 days.

A motion to approve the extension was made by Mr. James and seconded by Mr. Martin. Motion carried.

5. Zoning

None

6. Solid Waste & Environmental

None

7. Planning

Aurelio's Pizzeria- Possibility of Revolving Loan

Mr. Van Mill stated, "In the capacity as managing the revolving loan fund program, I have had the opportunity to talk to a number of individuals who are interested in possibly using the fund in expansion of their business in Kankakee County. One of those is Michael Mills who owns the Aurelio's in Bourbonnais and as you can see in the letter attached to your packet he is interested in possibly pursuing the revolving loan fund through the County. As part of our regulations in the revolving loan fund which very clearly states that an ineligible use of funds includes restaurants. Mr. Mills wrote us a letter asking if we would consider waiving that in some way. My

belief is that the committee has three options: one, not making any changes to the program and maintaining restaurants as ineligible projects; two, modifying the regulations somehow that would accommodate him; or three, we could refer this matter to the revolving loan fund committee that we have established to look at the issue and come up with a recommendation to bring back here.”

Mr. Scholl wanted to know why restaurants were excluded from this. Mr. Van Mill stated that it is too risky of a venture.

A motion to move this to the revolving loan fund subcommittee was made by Mr. Tripp and seconded Mr. Martin. Motion failed by roll call vote of 1 aye and 5 nays. (Mr. Tripp aye)

Mr. James would prefer that the committee keep things the way that they are. Mr. James thinks that this is dangerous grounds.

A motion to leave the program as it is currently in the policy was made by Mr. Kruse was seconded by Mr. Scholl. Motion carried.

8. Other

Discussion regarding Joyce Farms- Tipping Fee

Mr. Van Mill stated that it was brought to his attention that at the last Health, Schools and Animal Control committee meeting the discussion about Joyce Farms in Essex Township was discussed. One of the issues that came out of that discussion and referred to this committee was imposing a Tipping Fee on these kinds of compost facilities.

Ms. Shehane stated, “The Tipping Fee that we get from the Landfill is authorized by the Environmental Protection Act and that statute only applies to a permanent disposal facility such as the landfill. So we cannot get a Tipping Fee from compost facilities. We recently amended our Solid Waste Plan so that we can get a Host Fee from other types of pollution control facilities; again, a compost facility is not defined as a pollution control facility. I do know that there may be a chance to do something like this through Special Use Permit Conditions, other than that I am not aware of a way to collect fees from the site.”

Mr. James pointed out that what Joyce Farms is doing is a recycling process.

Mr. Scholl stated, “The facility that we have in Essex has to undergo periodic testing. There is a lot of concern in the area of what is going into the wells and water supply. If we need to do this testing and if we need to increase the amount of testing, we have go to come up with revenue to deal with this. I think that it is only reasonable that some type of fee be established on these operations, not retroactive but in future operations so that we can pay for these increased testing requirements.”

Ms. Shehane stated that EPA Delegation Grant gives the County money for inspections.

Mr. Bevis stated that at this time the delegation agreement between the County and the EPA doesn't specifically require that the County do the testing; it requires the facility to do the testing. One of the conditions that the Joyce Farms was required to do when they got their permit was to install four monitoring wells on the property and

they are tested quarterly for a number of contaminants. Those results are sent to the EPA where individuals there have the expertise and knowledge, evaluate those samples to determine if there are contamination levels in regards to the site and the chemicals listed in the permit. There is testing that is taking place at this point.

Mr. Scholl stated, "One of things on this funding that we have to keep in mind is that this funding could be used to increase the training to do the respected testing in these areas."

A motion to establish a fee to accommodate the testing and training was made by Mr. Scholl and seconded by Mr. Tripp. Motion failed. (Mr. Washington, Mr. James and Mr. Martin voted nay)

Ms. Shehane stated that she was unclear as to the use of the funds. Mr. Scholl stated for the County to sample the water and to provide additional training where needed for the County employees.

Mr. Olthoff stated that the sampling of the water is covered by Mr. Joyce, so that is being paid for by him.

Mr. Scholl stated that for the County to do sampling as requested by the surrounding areas is not funded. If we have some funds when complaints are made we would have the funding available to deal with testing.

Mr. James stated, "Whatever the problems maybe they have to be addressed by the Health Department."

Mr. McCarty stated that the County is doing a lot of inspections through the Health Department similar to the inspecting restaurants, are any of these facilities licensed for the County like the restaurants?

Mr. Van Mill stated, "One thing that we do have with this facility is that we do have a special use permit. One of the things that we will be doing in the next meeting or two is to bring Joyce Farms in for their two year review with this committee to look at its conditions on the special use permit."

9. Old/New Business

Mr. Van Mill stated, "On November 15, 2004 or December 6, 2004, the Village of Bourbonnais is going to be doing a sweeping annexation of at least 1000 acres of property that starts approximately across the street from the Cigna Building all the way up to where the College Church is. Part of that annexation is going to take in Cobblestone Subdivision. Cobblestone was a development which we approved here several months ago. Since that time the developers of the subdivision have been working very hard in getting construction started. Obviously when this annexation takes place the jurisdictional authority of inspections is going to be given over to the Village of Bourbonnais. It is my position that we basically stop doing inspections and we allow the Village to begin those and pick them up at that point. In anticipation of that I know that because there have been significant building permit fees given to the County and that we have not done all that we were going to do to bring that construction to its final stages, it is my opinion that we establish some kind of policy that if requested by the developer we would prorate their building permit and reimburse them at the time of that annexation."

After various discussions the committee would like to wait a month on this issue to see what the Village of Bourbonnais is going to do.

River Haven

Mr. Van Mill stated that River Haven Subdivision Final Plat had come in front of the County Board at its last meeting and it was tabled because of a technical legal matter as well as some legitimate issues regarding the approval of final plats. During this last phase there were two variances that the committee granted for this last phase. He would like to recommend to the committee that variances should be approved by the County Board rather than by this committee in order to assure that we have concurrence and that we meet the letters of the law. There is no action needed at this stage.

Pembroke Garbage Grant

Mr. Van Mill stated, "The County granted Pembroke Township about \$60,000.00 in grant monies to expand garbage service. Over a period of six or eight weeks a subcommittee has been meeting with them to get the Intergovernmental Agreement worked out. At our last meeting of the committee we directed the Township Supervisor to provide us very specific information. She has given us most of that information in one form or another. We have attempted to get the committee back together and there has not been a consensus among the members." This is just an update.

10. Adjournment

A motion was made by Mr. Washington seconded by Mr. Martin to adjourn the meeting at 9:49 a.m. Motion carried.

William Olthoff, Vice-Chairman

Stephanie Gresham
Executive Coordinator