

Members Present

Mr. Tripp, Mr. Washington, Mr. Flett, Mr. Einfeldt, Mr. Stauffenberg, Mr. Wheeler, Mr. Reid, Mr. Tholen, and Ms. Polk

Members Absent

Mr. Olthoff, Mr. Vickery, and Mr. James

In Attendance

- **Board Members**

Mr. Bossert and Mr. Hess

- **Department Heads**

Mr. Boyd

- **Media**

None

1. Call to Order/Roll Call

The meeting was called to order by the County Board Chairman, Mr. Bossert, at 9:00 a.m. Quorum present. The Committee Chairman and Vice-Chairman were unable to attend the meeting.

2. Public Comment

3. Approval of Minutes – January 29, 2014

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

4. Zoning Board of Appeals

- **Status of A2-Agricultural Estate District**

Mr. Van Mill stated that at the last county board meeting there was a lot of discussion regarding the applicability of the A2- Agricultural Estate District and how the county board applies the standards for approving these. The conversation boiled down to “What is a rational lot size for these kinds of requests?”

The committee’s consensus was to wait on the full presentation until Mr. James was back as he was the one who had voiced concern about this issue.

Mr. Van Mill stated that prior to 1996 they allowed residential homes on two acres or more throughout the county. Property owners took advantage of that creating indiscriminate sprawl, lack of harmonious land use, and a lot of agricultural and residential conflicts. In 1996 they did a comprehensive amendment to the county zoning ordinance that required the minimum lot size for an agricultural residence to be on 20 acres. They looked at that as a way to curb and control some of the rural sprawl that was going on. They did some surveys on other counties as to what their minimum lot size was in an agricultural district. Any lots that were legally created before 1996 that were less than 20 acres were still grandfathered in and could have a home built on it. A lot of the rural property owners wanted some flexibility to build a house in the future so, as a result of that, the zoning ordinance also has the creation of three rural residential options. One is an A2 – Agricultural Estate, another is a Rural Estate District, and the last one is a Farmstead Exemption. This is what resulted from a lot of public comment in 1996 when they were looking at amending the zoning ordinance. Since 1996, they have considered 84 requests for rezoning to A2 which was the district that they committee considered at the last meeting. Of those, 88% of those have been approved, a few have been denied, and a few have been withdrawn. In part 2 of this presentation they will come back and discuss the standards used to approve and what standards were used to deny.

Mr. Stauffenberg asked how many of the grandfathered parcels are left.

Mr. Van Mill stated that he would have to go back and look. He guesses that there are several thousand.

5. Subdivision

• Lewis Subdivision Final Plat

Mr. Skimerhorn stated that this is a request by Charles and Florence Lewis for a 2-lot minor subdivision on 3000 S Rd in Pembroke Township. The property is zoned R1 and they would like to divide it into 2 lots. Lot 1 being 33,000 sq. ft. and containing three homes and Lot 2 being 21,000 sq. ft. containing one home. The homes have been there since the 1950's. They are on municipal water and have individual septic systems. It is within a mile and a half of the Village of Hopkins Park. It went through the 45-day review period to all effected agencies and they only received one comment back which was from the County Highway Department. The engineer had failed to put a right-of-way dedication on the plat which has since been corrected.

Mr. Washington made a motion to approve the final plat and Mr. Wheeler seconded it.

Discussion

Mr. Bossert asked if this was a ZBA case.

Mr. Skimerhorn stated that it was not because it is already zoned R1 and has been since the 1950's. The three existing homes will be legal nonconforming homes, as they are now.

Mr. Tholen asked about the new home.

Mr. Skimerhorn stated that it would be conforming because it is one home on one lot. All the homes already exist.

Mr. Stauffenberg asked what legal nonconforming meant.

Mr. Skimerhorn stated that it means that they were legal when they were established but they do not meet their current code.

Mr. Boyd stated that it has the same definition as saying that they are grandfathered in. It was legal at the time that it was built but it is not conforming now but there is nothing that they can do to force them to conform. In the event that two of the homes would be removed from the property they would be able at that point, if the property was not further subdivided, to stop any further development on the property without getting appropriate requests for variances. As it exists, three homes on the property would be acceptable.

Mr. Reid asked what the object is of all of this.

Mr. Van Mill stated that currently the property that is established right now has four homes on it and it is a single lot. Doing this creates a division so that one home will end up on one lot which brings it into compliance with the zoning ordinance. However, it does keep three homes on a single lot. They try to bring properties closer into compliance; this kind of decreases the non-conformity division.

Mr. Wheeler asked if there is a possibility that the property owner could come back and want to sell off one of the other three lots.

Mr. Skimerhorn stated that it is possible but the lot size is getting small so it would probably require variances.

Original motion carried with a voice vote.

6. Planning/Economic Alliance

• Kankakee County Comprehensive Economic Development Strategy 2014-2019

Mr. Van Mill gave a presentation on the CEDS Plan. They have been going through the process to update the County's Economic Development Strategy. They received a grant of about \$24,000 from the U.S. Department of Commerce Economic Development Administration to help subsidize the development of this plan. As a requirement of the plan, they had to establish a Strategic Planning Committee that would oversee the development of this plan and it had to have certain individuals representing certain groups in the County on that committee. On January 28, 2014, the Strategic Planning Committee met after the public comment period was over to consider the public comments and to review the draft and they voted unanimously to approve the plan. On February 13, 2014, at the monthly Economic Alliance Meeting, the board of directors for the Alliance voted unanimously to approve the plan, as well. This is the first update of any kind of county-wide effort since 1989. The goals in the plan are to improve the infrastructure, increase and improve our investment in new employer recruitment, build and sustain entrepreneurship in small business, promote and enhance local education and work force development, and improve the quality of life for the County. Everything that they have in terms of action plans or objectives fall within one of those five principal goals. They would like the PZA Committee to recommend approval and send it on to the county board in March to be adopted so they can send it to the U.S. Economic Development Administration for certification and then start implementing the actions. One of the fundamental motivations for doing a plan such as this is to meet with every community and talk about what their capital priorities are. The EDA has funds available and with the certified CEDS Plan they are now eligible to go to them and apply for grant money to insure that we can meet some of the challenges here.

Mr. Wheeler stated that a lot of work went into this and he thanked Mr. Van Mill and his staff for it. There is only one project listed for Kankakee but there are a lot from the other communities which is very disappointing to see. Who was the point person to submit these projects?

Mr. Van Mill stated that they made many efforts and also extended deadlines. There was not one single point person. The official response was that the one that they listed is their priority and that is the one that they want brought forward. They do not intend for this to be a static document so projects can be added later. The Strategic Committee will continue to meet on a regular basis to get an update on what they are doing to achieve the goals in this plan. The EDA requires them to give an annual update on what they are doing to achieve the goals in this plan. It has to be updated every five years so it is going to be a living document and it can be very easily updated. The Strategy Committee has the authority to take under consideration a priority that may not be on the top right now.

Mr. Wheeler stated that he was happy to see a river project in this document because that will allow them to apply for funds. If they can get the sand out, there are ways that they can exploit the river for eco-tours and other things.

Mr. Bossert stated that this is like our Long-Range Transportation Plan that must be updated in order to qualify for federal funding.

Mr. Stauffenberg asked what dollar amount in grants does he have now and what has he applied for.

Mr. Van Mill stated that they cannot apply yet because they do not have a certified plan. Once a resolution is passed to adopt this plan they can move forward with grants.

Mr. Bossert stated that Mr. Van Mill was going to develop a list of other communities who have developed a plan, had a list of priorities, and got funding to assist them.

Mr. Van Mill stated that he will update that list to see what the federal government is approving.

Mr. Tripp made a motion to approve the CEDS Plan send it on to the full county board and Mr. Wheeler seconded it. Motion carried with a voice vote.

- **Publicly Accessible Recycling Collection Bins in the Solid Waste Ordinance**

Mr. Boyd stated that there are recycling bins for clothing and household items and it has been recommended to us by one of these groups that we have an ordinance that controls this better than the way it has been done in the past so they have prepared an ordinance that will amend the Solid Waste Ordinance to define what a recycling collection bin, to define what a recycling bin site host is, and to define what a recycling bin licensee is. There are also responsibilities and prohibitions that they are going to put in. They are going to put in the reporting requirements for the operators which are the total of tons of goods diverted. We do this for the sole purpose of being able to comply with the law on our Solid Waste Plan. The IEPA does not take an active role in all of this but they do like us to have reporting and in our Solid Waste Plan we like to be able to report the tonnage of waste that is gathered and the tonnage of waste that is diverted from permanent landfill sites.

Mr. Bossert stated that here today is Carlo Cavallaro who represents USAgain, a company involved in recycling of clothing and other things. He has been the one encouraging us to update our ordinance to serve as a model to other communities in the area.

Mr. Cavallaro stated that he is advocating these ordinances on behalf of their national association, as well as, the individual operators. The ordinance does not benefit any individual operator. It really sets a level playing field but it does set parameters, rules, and regulations for everyone to exist within. The bins themselves are not currently defined in most planning and zoning ordinances. He has worked with several communities which is what has developed this model ordinance. Mr. Boyd has amended it to fit within the county's code. It sets the base rules for everyone to operate and exist while protecting the community's interest as to the standards of the appearance and operational standards for that community. There is a state recycling task force that has been ongoing with a report due at the end of next year. The ordinance for the bins includes other materials, although, they focus on clothes, shoes, and textiles. One of the key components is having the reporting required and it has been missing in the past. They are advocating that this ordinance be adopted at the county and local level.

Mr. Bossert asked what they do with all the clothes.

Mr. Cavallaro stated that the clothes are sold wholesale and then they are either resold to be used as clothes or sold internationally. Another percentage is recycled into carpet padding, textile insulation blankets, etc. About 50% to 60% is resold and reused as clothes and 25% to 30% is recycled.

Mr. Bossert asked if there was a permitting fee in the ordinance.

Mr. Boyd stated that they are recommending an initial application cost of \$25 for a year and \$25 to renew, a sticker fee of \$10, and a replacement sticker for \$5. If a charitable organization wants to put up a bin, a determination can be made as to whether or not a fee will be charged.

Mr. Bossert stated that they will probably task the Planning Office with the job of licensing, collecting the fee, and responding to the issue.

Mr. Wheeler asked what the reach is of this.

Mr. Boyd stated that under the law they cannot dictate this to the municipalities, even though it will be part of our Solid Waste Ordinance. Their hope is that once we have done this the municipalities will follow suit. At some point we may see at the state level legislation that requires the inclusion of textile reuse and reporting as part of every solid waste plan.

Mr. Hess asked if this will be for all drop boxes.

Mr. Boyd stated that it should apply to all of them. Perhaps it will encourage others to put recycling facilities available to the public for other materials.

Mr. Bossert stated that he would entertain a motion to move this onto the full board. At that point they will have an ordinance to present to the board.

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

Discussion

Mr. Wheeler asked if there was an ordinance to look at now.

Mr. Boyd stated that he thought his staff had sent one over. He apologized.

Mr. Wheeler stated that he does like to see things before he actually votes on it.

Mr. Bossert stated that that is normally the case.

Original motion carried with a voice vote.

7. Building

- **Reappointment of David Tyson, Civil Engineer to Board of Examiners & Appeals**

Mr. Van Mills stated that their building code requires a Board of Examiners & Appeals to hear any appeal of a contractor or a property owner that may feel that their building inspectors may be interpreting codes wrong. They have used this board to get approval for a new technology. It is the body that will conduct the public hearings on the update of their building codes. They have not updated their building codes since 2013 and they would like to bring them up to current standards. They also have had conversations with all the major municipalities in the county in order to try to get to a unified building code. Seven people from various disciplines within the construction field make up the Board of Examiners & Appeals.

Mr. Stauffenberg made a motion to reappoint David Tyson, Civil Engineer, to the Board of Examiners & Appeals and Mr. Tholen seconded it. Motion carried with a voice vote.

- **Appointment/Reappointment of Electrician to Board of Examiners & Appeals**

They are not ready to make this appointment.

8. Other Business

9. Old Business

Mr. Hess asked where we stand on the Power Center in Pembroke. He heard it was tied up in court.

Mr. Van Mill stated that he was not aware of anything along those lines. They have a prospect that is interested in purchasing the property. The township supervisor has been very accommodating for them to bring in this entity. They have done two walk-throughs. They are interested in either leasing it or buying it.

Mr. Boyd stated that while there are some legal matters with some of the people that were involved in the past. They have not been notified of any proceedings that would put a hold on the sale of the property nor have they been notified by anyone regarding a lien on the property stopping the transfer in the event that there would be a satisfactory applicant to take over operations or purchase the facility.

10. New Business

11. Adjournment

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

Mike Bossert, County Board Chairman
Joanne Langlois, Executive Coordinator