

Members Present

Mr. Tripp, Mr. Olthoff, Mr. James, Mr. Vickery, Mr. Mulcahy, Mr. Einfeldt, Mr. Washington, Ms. Evans, and Ms. Polk

Members Absent

Mr. Tholen, Mr. Liehr, and Mr. Reid

In Attendance

- **Board Members**

Mr. Bossert and Mr. Byrne

- **Department Heads**

Mark Rogers

- **Media**

Present

1. Call to Order/Roll Call

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

2. Public Comment

- **Jeff Bryan, Superintendent of the Tri-Point School District, spoke in support of ZBA Case #15-06.**

3. Approval of Minutes – June 17, 2015

Mr. James made a motion to approve the minutes and Mr. Vickery seconded it. Motion carried with a voice vote.

4. Building

- **Building Report – June 2015**

The Planning Department and the Building Division issued 73 building permits which totaled \$12,840 with a value of \$1,290,931. The total of extra fees was \$22,665 which makes a grand total of \$35,505.

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

- **Waive Building Permit Fees for Flooded Properties**

Mr. Van Mill stated that there has been significant flooding in the month of June and July. His office has been out doing property damage assessments and insuring that they issue proper permits after the flooding subsides and people are able to get back into their homes. A few years ago the county allowed them to issue free building permits to those who had been damaged by flooding in the flood plain to insure that it was being done efficiently so they could begin cleaning up. They are asking the county board to grant permission to his office to issue free building permits for those in the flood plain that have had flood damage in order that they can keep the process moving forward.

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

Discussion

Mr. Bossert asked if there is damage to a residence outside of a flood plain is a building permit required to pull out carpet or other such things.

Mr. Van Mill stated that a permit is not required outside of flood plains. In flood plains it is a responsibility of their office to do a damage assessment to determine if the property has substantial damage by federal government standards. Substantial damage means that damage calculated is over 50% of the market value of the structure. If it is over 50% then those properties cannot be repaired until the structure is brought into total flood plain compliance. They will be audited by the Federal Emergency Management Agency and perhaps the state DNR to make sure that they followed the process correctly.

Original motion carried with a voice vote.

Mr. Olthoff stated that if there are no objections they are going to move Zoning ahead of Planning. There were no objections.

5. Zoning

- **ZBA Case#15-06; a request for a Special Use Permit to Section 121.295 (Wind Energy Conversion Systems) in the A1-Agriculture District on a parcels generally situated in Sections 3, 4, 5, 6, 7, 8, 9, 10, 11, 12 of Norton Township. The petitioner is Kelly Creek Wind, LLC, applicant.**

Mark Gerson, the attorney who represents Kelly Creek Wind, LLC, gave a PowerPoint presentation regarding the Kelly Creek Wind Farm in Norton Township. He stated that this project has been ongoing for a long time. They have had agreements with numerous property owners, a public open house with about 50 members of the community, and the last step in this process which was a positive recommendation of approval from the Zoning Board of Appeals at their public hearing.

Mr. Olthoff asked what other types of renewable energy they are involved in.

Ian Krygowski, the director for development for EDF Renewable Energy's east region, stated that EDF is purely focused on renewable energy and they develop, own, and operate primarily wind and solar projects but they are just finishing up work on a large anaerobic digester in Colorado. They also built two wood-fired biomass plants in South Carolina that they are currently operating.

Mr. Olthoff asked if electric companies ever require them to shut down generation.

Mr. Krygowski stated that they do and it is generally related to constraints on the transmission system. As part of this project they did some pretty extensive transmission studies and took a hard look at what they would project those types of curtailments to be and they found that it is pretty small. They would expect it to be less than 5% of the total energy that they would be able to generate.

Mr. Olthoff asked if that was statewide.

Mr. Krygowski stated that it is very highly regionalized so it really depends on which lines are interconnected and what other generation loads are connected to those lines.

Mr. Tripp asked if the school district would get the projected \$400,000 in taxes every year,

Mr. Gerson stated that that is in the initial year. The state statute has depreciation that goes down to a floor but once you reach that floor it starts going back up again.

Mr. Vickery asked him to expound on the avoided CO2 emissions.

Mr. Gerson stated that the idea is that if the energy produced by the wind farm was produced by the typical generating mix it would have produced that additional amount of CO2 so this is offsetting that much CO2 that would otherwise have been emitted.

Mr. Vickery stated that he thought that should be emphasized because it is important.

Mr. Mulcahy asked where they are manufactured.

Mr. Krygowski stated that the turbine that is proposed right now has assembly facilities throughout the U.S. so it is likely that these would be domestic machines. They do not yet have a firm location as to where they will be shipped.

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

Discussion

Mr. Bossert stated that he thinks that the application is in conformity with our ordinances and he supports the motion.

Original motion carried with a voice vote.

6. Planning

- **Historic Preservation Intergovernmental Agreement with City of Kankakee**

Ms. Sadler stated that the Historic Preservation received applications back from 2012 to landmark some properties in the city limits so the Commission went to the City to work out an agreement so that the county could do those for them because the City does not have a CLG. They are asking that the committee give permission for the chairman to sign the agreement.

Mr. Vickery made a motion to approve and Ms. Evans seconded it. Motion carried with a roll call vote of 10 ayes and 0 nays. Voting aye were Mr. Bossert, Mr. Tripp, Mr. Olthoff, Mr. James, Mr. Vickery, Mr. Mulcahy, Mr. Einfeldt, Mr. Washington, Ms. Evans, and Ms. Polk.

- **Contract with Consultant on CLG Grant for Preservation Plan**

Mr. Van Mill stated that is not ready. It will be brought back at a later date.

- **Revolving Loan – Grant Funding for Infrastructure Associated with Job Creation**

Mr. Van Mill stated that the packet that was handed out today is a revolving loan fund application. Their revolving loan fund program can be used as a grant for public infrastructure if it creates jobs. Many times when they are looking at projects that are going to expand or create jobs they always discuss with them what kind of public infrastructure might they need in order to satisfy the requirements of their expansion or to create jobs. When they looked at their revolving loan fund program it does not necessarily spell out that the recaptured strategy includes the provision for grants for public infrastructure in our communities if it is involved with job creation. In talking to the state they wanted to make sure that our recapture strategy does reflect that that would be one of the uses for it so he added this specifically into the application and into our recapture strategy so that if we do entertain projects that would create jobs or expand the economic base in our community and if we would be needed as partners for a road expansion or expansion of a sewer system, etc. we could be a partner in the process. He added those provisions to the application so that it is

spelled out more directly than it was in the past. There are opportunities for us to possibly participate. They are talking to industries right now that are looking to expand and may need some road improvements. If there is an application turned in, the board would still have the final say as to whether our revolving loan fund program would participate in any type of partnership.

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

Discussion

Mr. Bossert asked if there are provisions to replenish the fund.

Mr. Van Mill stated that if the revolving loan fund program is exhausted they can go back and apply for funding.

Mr. Bossert asked if the fact that we may shift more to grants as opposed to loans negatively impact our chance to get replenishment.

Mr. Van Mill stated that he is not aware of any negative impact. He likes the grant ideas. The issuance of loans makes their department a bank and their ability to manage revolving loan fund programs is difficult, at best. The idea of being able to use this for public infrastructure is a win-win for everybody. It improves the infrastructure in communities and adds jobs to the community.

M. James asked how much money we are talking about here.

Mr. Van Mill stated that he thinks that their revolving loan fund program has a little over \$300,000 remaining in it.

Mr. James stated that in the past they have lost some of the money that was loaned but on the grant side there is no replenishing.

Mr. Van Mill stated that there is no replenishing and it does require job creation. One of the benefits is that we will have an infrastructure that is upgraded and in place for a long time which is a good investment for us. Any time that they would use grant money for public infrastructure it still has to meet the criteria that there would be the creation of one job for every \$15,000 that would be granted which is the same ratios if the money was loaned out.

Mr. Washington asked if he is looking to get a reaffirmation from the state that this funding would be replaced when it is exhausted.

Mr. Van Mill stated that they can look at that.

Mr. Washington stated that with the state of the county and the state, we need to make sure that our resources are replenished.

Mr. James asked if they get to see where the funds go before it gets there.

Mr. Van Mill stated that this is just to clarify the recapture strategy in stating that we would entertain the idea of using funds for infrastructure improvements that would be associated with job creation. The committee will still have to determine on a case-by-case basis if they want to do it. It would have to go

through a full process of the revolving loan fund committee, then to the PZA, and then to the county board for approval. Also, there is a participatory agreement that has to be entered into by a company in the county that they will create the jobs and 51% of those jobs have to be filled by individuals that are low-income. All the criteria have to be followed.

Mr. Vickery stated that this is just another tool for economic development.

Mr. Tripp stated that it is not our tax money.

Mr. Van Mill stated that it is federal money that was generated in the early 80's and they continue to have these funds.

Mr. Mulcahy asked what the interest rate is.

Mr. Van Mill stated that on the loan side it is 3%.

Mr. Mulcahy asked if it rolls back into the principle for further loaning.

Mr. Van Mill stated that it does.

Mr. Mulcahy asked if we are charging administrative fees.

Mr. Van Mill stated that they never have.

Original motion carried with a voice vote.

7. Transportation

a. FY 2016 Unified Work Program

Mr. Lammey stated that Metropolitan Planning Organizations (MPO) was established by federal law for any community that has more than 50,000. Kankakee County reached that milestone in 1980 and the MPO was established in 1983. The reason that the transportation planning staff is housed at the county is because the county volunteered to do that in 1983. They have taken care of the staff and paid the local share since 1983. There are two types of federal funds involved. There is one from the federal highway administration and one from federal transit administration. The total amount of federal funds is \$240,000 and along with this program there are several documents that are required to be done. The Unified Work Program is one of those documents which shows the breakdown of time allocated to each work element of the coming year and shows how the federal funding is allocated to those work elements.

b. FY 2016 Contract with Illinois Department of Transportation

Mr. Lammey stated that along with the Unified Work Program is a copy of the contract that they sign with IDOT for the FY 2016. He handed out a copy of the contract.

c. FY 2016 Transportation Improvement Program

Geoff Olson gave a PowerPoint presentation on the program. He stated that every year they produce the Transportation Improvement Program. They are required to do it every year and it was adopted by the MPO Policy Committee in June. It is required by federal law as part of the MPO process and it tracks the federal funds that come in and go towards transportation. This document shows the annual (FY 2016) and

multi-year (FY 2017-FY 2020) elements of projects that will use federal funding in transit, local highway, state highway, and the bicycle and pedestrian projects.

Mr. Olthoff asked if there is anything in the future to correct the intersection of Route 50 and Armour Road with the stop sign at CSL Behring.

Mr. Olson stated that they are working on a project right now that should help reduce some of the congestion there.

Mr. Olthoff asked if the stop sign would stay there.

Mr. Olsen stated that he believes that right now it is staying there. The state has intersection plans but he does not know what they are planning on doing moving forward. It is also in the plans to expand turn lanes but he does not know the state's time frame for that.

Ms. Evans asked if they have ever thought about existing CSL at Route 50 and utilizing the light that is already there.

Mr. Olsen stated that he does not know what they may have considered historically. Right now what they are hoping to achieve is that with the Industrial Drive Project they would tie in their parking lot and put in an access road to the east. The traffic light at Lowe's would be where Industrial Drive would connect to.

Mr. Van Mill stated that they have had many conversations with them about the entry way there and the multiple entrances that they have.

Mr. Mulcahy asked what is going on with the shared use bicycle path. What is our role with it?

Mr. Lammey stated that the county has no money in it. It is the City of Kankakee's project.

d. Long-Range Transportation Plan Executive Summary

Geoff Olson stated that this is due every five years and it includes plans for the coming 30 years in all transportation areas. It was adopted in May by the MPO Policy Committee. It is 216 pages so they prepared an executive summary.

Mr. Olson stated that one of the additional requirements that the MPO has is regarding safety. They are tasked with reducing the number of fatal and "A" injuries (most serious of injuries) within the metropolitan plan area. He showed a map of the entire county that pinpoints where fatal and "A" injuries have taken place from 2007 to 2014. In that time period there were just under 1000 crashes with 117 fatalities and 1219 "A" injuries for the entire county. The next map shows just the metropolitan planning area which is the area that they are tasked with reducing the crashes on. There were 643 crashes with 61 fatalities and 799 "A" injuries. The third map shows just the urbanized area which is the combined jurisdictional boundaries of the municipalities which is defined by the Census Bureau. There were 525 crashes with 50 fatalities and just over 650 "A" injuries. Many of the crashes were on state highways so that makes it difficult for them to try and come up with safety remedies.

Mr. Bossert asked if they are coming up with recommendations or suggestions on safety design.

Mr. Olsen stated that they are moving forward a little bit with that. The MPO formed a Safety Committee April of 2014 and they have done an analysis of 9000 N Rd which is a county road and they did implement some safety measures on that road. They are continuing with doing more analysis on different corridors that have been selected.

Mr. Washington stated that he thinks that we need to continue to press to put these things that we deem are important in their faces because we are the ones driving on these roads.

Mr. Vickery asked if they are finding help with suggestions with the other partners in the MPO.

Mr. Olsen stated that they are because the Safety Committee is made up of the fire departments, the police departments, emergency response people, a Driver's ED teacher, etc. so there is a lot of good input.

Mr. Bossert asked Mr. Lammey to tell the committee how much money that the MPO has to work with in terms of projects. They do a lot of work with not a lot of gain but yet it is a mandated function.

Mr. Lammey stated that every year they get about \$700,000 in federal funds that they can spend on local roadway projects. At the current rate of \$4 million a mile to build one road, it takes them a while to save up enough money to be able to do that. They spend a fair amount of money planning for things that they do not have a whole lot of funding to build.

Mr. Bossert stated that the last project was Lowell Road eight years ago.

Mr. Lammey stated that it was a joint project with Aroma Park.

Mr. Bossert asked what is planned for Hobby Avenue.

Mr. Lammey stated that the tentative design for Hobby Avenue from Rt. 17 to Rt. 50 is three lanes, center lane left turn only with a shared use path involved also. It will be an expensive project.

Mr. Bossert stated that the argument is that it would open up some industrial areas.

Mr. Lammey stated that Kankakee says that it would open up all the area by the old General Foods. In some ways it would provide a more palatable shortcut for freight to go from Rt. 17 to Rt. 50 North rather than going through the middle of town.

Mr. Washington asked if the drains on Hobby would be fixed when they did the project.

Mr. Lammey stated that they would be.

Mr. Lammey stated that they are trying to save the county some money. Historically, they have billed quarterly for reimbursement accounts where they have to incur the expenses before they can bill the state. They are changing that to billing every other pay period which will get the money back to the county faster.

Mr. Lammey stated that two of the three full-time employees in their department are over the age of 65. He knows that one of them will be retiring so sometime in the near future this committee will probably get a request from the Planning Department for a promotion for somebody and probably sometime in the fall

there will be a request for replacement of an employee. He wanted to give the committee a heads-up on this. If they don't replace somebody they would have to cut down on the amount of work that they do.

Mr. Bossert stated that one of the responsibilities in Mr. Lammey's work is oversight of the rural transit program. There is movement in other counties to think about a rural transit district and if that were to happen it is conceivable that someday our rural transit program could be taken over by that district as opposed to us running it.

Mr. Lammey stated his recommendation would be to do that as fast as they can.

Mr. Lammey stated that yesterday the City of Kankakee asked him why they don't send bigger buses out to Pembroke and he told them that they tried but one of the bigger buses got stuck in the sand and had to be towed out. They have the ridership for a bigger bus but they can't go on the roads to pick the people up.

Mr. Bossert stated the other local match piece that has been a topic of discussion lately is our local match obligation with the River Valley Metro. We are a member agency of the River Valley Metro and our share is around \$7000 a year. That board was informed that we probably will not be able to make that match this year. We need to think about that in the future. Are we willing to continue our local match and understand that it is part of our budget or do we withdraw from that agency?

Mr. Lammey stated that there are not many riders on the METRO that come strictly from county residents, other than ADA ridership.

Mr. Bossert stated that the county does have a lot invested in that organization as they were there before the beginning. He feels that as a county umbrella organization we should be at the table and be part of the operations. We need to think about that in the future.

Mr. Washington asked what a transit district consists of.

Mr. Lammey stated that it would be a board that would be headquartered in McClain County and we would have a seat on that board appointed by Chairman Bossert. Several counties would be involved.

Mr. Van Mill stated that the reporting that the state is requiring us to do is making us go toward these larger organizations.

Mr. Vickery stated that most of what we have gone through today is mandated by the state.

Mr. Van Mill stated that it is mandated by the federal government.

Mr. Mulcahy asked if the townships are still contributing to SHOWBUS.

Mr. Lammey stated that they are.

8. Old Business/New Business

9. Adjournment

A motion to adjourn the meeting at 10:30 a.m. was made by Mr. James and seconded by Mr. Einfeldt. Motion carried.

Bill Olthoff, Committee Chairman
Joanne Langlois, Executive Coordinator