

EEHW COMMITTEE MEETING
December 19, 2013
5:30 P.M.

MEMBERS PRESENT

Tim Dudley
Jerry Potts
Kevin Greenfield
Patty Cox

MEMBERS ABSENT

Merv Jacobs
Kevin Meachum
Phil Hogan

COUNTY PERSONNEL PRESENT

Mike Baggett, State's Attorney's Office
Kris Horton, Animal Control
Jennifer Hoffman, P&Z
Josh Tanner, SofA
Laurie Rasmus, Environmental Mgmt
Jeannie Durham, County Board Office

The meeting was called to order by Chair Tim Dudley at the Macon County Office Building.

MINUTES

Jerry Potts made a motion to approve the December 9, 2013 minutes, seconded by Patty Cox, motion carried 4-0.

CLAIMS

Patty Cox made a motion to approve the claims as presented, seconded by Jerry Potts, and motion carried 4-0.

ZONING

Chair Dudley announced that each of the three resolutions being presented tonight would be presented separately and after each presentation anybody in the public that wants to speak will be allowed to do so.

Macon County Board Resolution Regarding Case S-01-12-13, A Petition for Special Use Permit submitted by City of Decatur

Jennifer Hoffman presented S-01-12-13 petition by City of Decatur for a special use permit for the operation and management of a Silt Retention Basin in A-1 Agricultural zoning. The property is located at Angle Crossing Road on the North, Prairie View Road on the East and Kitchen Road on the South in Oakley Township and contains 529 Acres.

On December 4, 2013 a public hearing was held and based on the finding of facts and the rules in the Zoning Ordinance the staff recommended approval with the following stipulations:

1. A site Maintenance Advisory Committee ("Committee") shall be created to assist the City of Decatur in fulfilling the following terms and conditions of this Special Use Permit. The Committee shall monitor the maintenance operations at the

facility and provide advice regarding the implementation of this Special Use Permit and the Site Reclamation Plan. This committee shall also serve as the clearinghouse for citizen complaints, concerns, and suggestions regarding the operations and maintenance of the site.

a. Committee membership shall consist of:

One member representing Macon County appointed by the Macon County Board
One member representing Oakley Township appointed by Oakley Township Board of Trustees

One member representing the Macon County Soil and Water Conservation District appointed by the Macon County Soil and Water Conservation District Board.

Two members representing the City of Decatur appointed by the Decatur City Council

b. The Committee shall meet at least on a bi-monthly basis with additional meetings to be called as needed to address immediate concerns. All meetings of the Committee shall be subject to the regulations and standards of the Open Meetings Act. All meetings of the Committee shall reserve time for the public to present verbal and/or written comments regarding site maintenance and/or reclamation issues. The Committee shall be empowered to adopt by-laws; and

2. The City of Decatur (“City”) will establish and maintain a dedicated funds account to provide the Committee with the necessary financial resources in the event it has to hire a contractor to complete an aspect of site maintenance. The City shall maintain a minimum balance of \$60,000 in this dedicated funds account. The Committee shall be empowered to utilize this account under the following process:

a. When a concern or complaint regarding site maintenance is brought to the Committee’s attention, it shall be forwarded to the City’s Water Management Department within 10 business days.

b. The City shall have 30 business days to resolve the matter to the satisfaction of the Committee.

c. If the matter is not resolved within the allotted time, the Committee may call a special meeting to discuss and vote on a plan of action.

d. Once the Committee has approved a plan of action, the Committee should arrange for a private contractor to perform the necessary site maintenance. The work shall be performed by a pre-approved contractor. The City shall provide the Committee with a list of pre-approved contractors from which to choose.

e. All such contract work shall be paid from the dedicated funds account, with a copy of all correspondence, invoices, and receipts forwarded to the City; and

3. A new stipulation in this renewal of this Special Use Permit, the City shall ensure facility maintenance and that vegetative growth will comply with all Macon County Nuisance Ordinance Regulations. There shall be no vegetative overgrowth visible from the surrounding perimeter roads; and
4. Another new, or rather reworded stipulation in this renewal of this Special Use Permit, the City shall remit payment annually on August 1st to the various taxing districts for the loss of property tax revenue. The compensation shall be calculated each year by multiplying the certified assessed value for PI 121 by 529 acres and then multiplying by the individual tax rate for each taxing district. Each year the certified assessed values for farmland shall come from the Illinois Department of Revenue and the individual tax rates shall come from the Macon County Clerk. By January 15, 2014, The City of Decatur, shall pay all various taxing districts the difference between the property taxes that were paid from 2006 to 2012 and what would have been due for the entire 529 acre parcel if used for crop production as (per the existing Special Use Permit) that was calculated by the Macon County Supervisor or Assessments using the calculation stated above in Stipulation 4. (See Attachment); and
5. Should the City decide to sell the 529 acre property in question, or any portion thereof, right of first refusal to purchase the property at fair market value shall be offered to the individuals, or their immediate heirs, from whom the City purchased property; and
6. A new stipulation, prior to approval of the Special Use Permit, the City of Decatur shall have a signed road use agreement with the Oakley Township Road Commissioner; and
7. A new stipulation, all water drainage from inside the berm during construction and dredging operations shall drain to the west and shall comply with Illinois Drainage Laws and Illinois Department of Natural Resources dam (berm) requirements. A land disturbance permit is required for the acres disturbed in raising the berm; and
8. The Special Use shall be required to remain in conformance with all applicable local, state, and federal laws and regulations. Any violations of these applicable laws and regulations may result in penalties and fines as identified in Section 4.12 of the Macon County Zoning Ordinance. These penalties and fines would be in addition to any penalties and fines mandated by the other local, state, or federal regulatory agency; and
9. The conditions of this Special Use Permit may be modified through the adoption, by County Board resolution, of an amendment to this permit. Any amendment shall be reviewed and approved in the same manner as this original permit or by the identified process for obtaining a Special Use Permit as indicated in the Macon County Zoning Ordinance; and

10. A new stipulation, the Special Use Permit will have a 10 year limit for all to review at the end of that time limit. The Special Use Permit will expire on January 9, 2024.

Kevin Greenfield asked Jennifer is 10 years is sufficient for all parties involved, is the City of Decatur going to be done in 10 years. Jennifer said yes, that the City is looking at a 6 to 8 year window and 10 years gives them some leeway if there is a wet spring. The original special use permit that was written in 2003 when they got the first special use permit was indefinite and did not have a timeframe on it. We don't write special use permits like that anymore and the county puts time limits / expiration dates on them so someone has to look at that permit within a certain timeframe. Kevin asked then if the 10 years is ok with the City. Jennifer said yes.

Kevin Greenfield stated that he knew there were questions at the ZBA hearing about the drainages and asked if they had been rectified. Jennifer said they are working out a road use agreement with the Road Commissioner in Oakley Township, but said she had not seen any agreement. Kevin said the Mr. Murihead had brought up about some adjoining farms and water running on them. He asked if those questions had been answered. Jennifer said the City was present to answer those questions. Keith Alexander, City of Decatur, answered by saying the City had not been contacted since the ZBA hearing on this subject regarding stipulation #7 which is the drainage stipulation. The City believes that stipulation #7 does allow the City to comply with all Illinois drainage laws and Illinois Department of Natural Resources permit requirements for this project. We are fully satisfied with #7 as is.

Jerry Potts made a motion to amend item #2 d for both instances to strike the word "should" and be replaced with the word "must" and the word "pre-approved" be struck and replaced with the words "union / local". Chair Dudley stated that the paragraph would be changed to read, "Once the Committee has approved the plan of action, the Committee must arrange for a private contractor to perform the necessary site maintenance. The work shall be performed by a union/local contractor. . . ." The motion failed due to no second. Kevin Greenfield stated that he agreed with the committee must, but the city has a pre-approved contractor in line anyway and the job is a prevailing wage job. Mr. Dudley asked if Jerry wanted to make the change from should to must. Mike Baggett said that from a legal point of view, it does not matter if you are not going to change the language with respect to "pre-approved", should or must is not going to make any difference. Chair Dudley stated that the resolution remains in the current form and asked if anyone from the public wished to speak.

Chris Siudyla, present on behalf of Oakley Township, stated that they have one very limited issue which is the expiration of the special use permit. He said that they would like to see the City's obligations under the special use permit continue indefinitely until the land is restored to productive farm land. The risk is that Oakley Township and the other taxing bodies in 2025 when the special use permit expires would be faced with a loss of tax revenue at that point. That is the only concern with the stipulations. He said they want certain stipulations to continue indefinitely until the City restores the land to productive farmland or sells the land. He said they urge the committee to modify the last stipulation to provide that certain stipulations will continue indefinitely until the City restores the land. Tim Dudley stated that that is solely between the City and Oakley Township and asked if it had been negotiated with the City. Mr. Siudyla said that it has not been negotiated with the City. Mr. Dudley asked if they had been in negotiations with the city on other parts of the permit. Mr. Siudyla said they had at various times. Mr. Dudley asked if they had brought it up to the city. Mr. Siudyla said they had brought it up at the ZBA hearing and was told that they could bring it up at this committee hearing. He said that this is going back to the original special use permit that did not have an expiration date in it. He said they are basically asking for the status quo to be maintained because that is how it has been in the past. He said they understand the need for the committee and the zoning department to revisit the special use permit. He said they don't necessarily want the permit to continue indefinitely, they just want the tax difference and some of the other stipulations like removing vegetative growth to continue until the land is returned to farmland or sold.

Josh Tanner commented on point 4 and wanted to make the board aware that there is a tax bill generated for the silt pond. It is a very small tax bill. What point 4 does is it creates another payment that is not a tax that makes up the difference between if the silt pond did not exist and that was farmland to what it is now, which is a silt pond. There is a difference in value and this is an extra payment above and beyond what the city pays now. The City is also a tax exempt entity so if they chose to they could file to have this property, through the state, exempted completely from taxes. The state makes that decision. Generally speaking, the state follows two rules for exemption which are ownership or use. Ownership is if it is an exempt body and use is if it is used for the purpose of that taxing body. For example, if the park district has a park, that use is exempt. If the Park District has a property like the Beach House, that is leased, that incurs a bill. A silt pond does not generate any revenue, so it is likely it would be exempted if they applied. The City has chosen not to apply for that. That's just being a good neighbor. Kevin Greenfield asked Josh what the tax difference would be. Josh said it was quite a bit, but the overall

tax bill for 2012 shows the amount of difference owed. The School District always gets the largest portion of your property tax bill. It is \$5,947 that is the difference. The total difference is \$10,427 for 2012. Had this been farm ground, the estimate is \$10,427 difference every year. This is an estimate because it is not farm ground so you can't actually calculate a farm ground bill. When a taxing body purchases a piece of property, as long as at the use of it is for what the taxing body is designed to do, the property is exempt. They don't pay property tax and they don't make any payments in lieu of property taxes. If we were to go out and build a new highway department in the middle of farm ground, the county would be exempt from taxes. Kevin Greenfield said that normally the government does not take 500 acres of farm land. Josh agreed that that is rare. The City has agreed to be a good neighbor and make this payment. He said he just wanted to explain how point 4 is working and to make it understood that this is not a property tax and that the county does not collect that. It is an agreement between the taxing districts and the city.

Kevin Greenfield asked Mr. Alexander what the chances of the land becoming a productive farm after 10 years. Mr. Alexander explained that they have a draft site reclamation plan that was submitted with the petition for the special use permit. It is the same draft reclamation plan that was submitted with the original special use permit. It describes the fact that it is very difficult to predict what is going to happen in 10 years with that site. We know for sure is that when the current dredging is completed, the city will no longer have to do large scale, broad basin dredging. The city will only have to dredge 3 sediment traps that will be installed at the upstream of basin 6, the upstream end of Big Creek and the upstream end of Sand Creek. The need for large dredging basins will not occur after this current dredging project. The draft reclamation plan suggests that there are many uses that would be possible for that site. It is very difficult to predict 10 years from now what the highest and best uses of that site might be. The plan does suggest that amongst the viable options are reclamation back to productive farm ground, portions could be used for water storage purposes, or portions could be used for the maintenance dredging or sediment storage for the three sediment traps that will still be used to maintain the lake's integrity. There are dozens of open space recreation potential opportunities like golfing, wildlife, hunting, fishing, prairie restoration, wetland restoration, hiking, biking, camping, etc... Kevin reminded him that the area is Oakley Township. Keith agreed, but said that since the site is so large, there is a lot of potential there. The City of Springfield was able to reclaim the entire site for Ag production. It was former farm ground that they built a berm around, put Lake Springfield sediment in it, and when they were done they returned the entire site to row crop production. It is fully possible to do so. Kevin commented that basically,

there are no guarantees as to what is going to happen. Keith agreed that it is very difficult to predict what is going to happen 10 years out.

Everett Nicholas, present on behalf of the Cerro Gordo School District, stated that their concern over what happens in 10 years. Under the current language, the City's obligation to pay any money to the taxing districts will have ended and presumably the land will go back to salvage value at that time, even though the property itself may continue to be a silt pond or whatever. True, the City could seek to get tax exempt status on the property, but under the special use permit, it would not alleviate the obligation of the city to pay the taxing districts the money they are owed. The School District would like to see the language in point 4 be amended to extend the obligation until such time as the property is either converted back to agricultural purposes or alternatively sold. We believe that protects the taxing districts. We request that amendment.

George Murihead, a member of the planning commission in Oakley Township and a farmer in Oakley Township, brought forward a couple of things about this long term thing, which is the concern. The city has taken 529 acres of mostly productive farm land. The tax on farm land right now with the established 121 productive index is about \$24 to \$25 per acre. The tax on wasteland is \$1.50 to \$2 per acre. You are not talking about 10 years. You are talking about forever. Mr. Murihead said he used to be on the Macon County Zoning Board and one of the things that was stressed over and over was that the City of Decatur is not being zoned. The property is being zoned. You do not zone the land owner, you zone the property. That is what Oakley Township has to look at. The long term, cheapest way for the City of Decatur to get out of it is to walk away from it and let it be about a \$1,500 tax bill a year and just ignore it. That's what we don't want to happen. A responsible land owner that owns the land will use it the way they need to use it and then they will figure out how to make it as productive and saleable as possible. We don't want them to be able to just walk away from it. That is the intent in trying to establish something beyond the term that was put in this. Originally, the planning commission signed off on a statement that included the fact that this would continue forever until they sold the property or it was converted to another use. That was stricken out of it by the Zoning Board 2 weeks ago. It was never included in the agreement that was presented to the zoning board, but it was included in the recommendations.

Kevin Greenfield addressed Mr. Alexander saying that he had heard the concerns of the people in Oakley Township and asked if the City had addressed those concerns. Mr. Alexander replied that these are concerns that have just surfaced in the last 48

hours officially based on the ZBA hearing. The proposed stipulation about the fact that the city would continue to pay the payment in lieu of taxes up until the city actually sold a portion or all of the property. If you walk through a series of possible alternatives, one could be that the city would use the sediment site for the sediment placement for the current dredging project and then turn around and sell the entire parcel of the property to another land owner. That land owner may want to keep that land fallow for whatever reason. It would not necessarily benefit the taxing bodies to include that stipulation as they currently propose. Mr. Alexander reminded the group that the City has a very large capital investment in the property because they purchased all 529 acres. The City would certainly entertain ways to keep the land productive as Murihead said. The challenge or concern is with the proposed changes to the stipulations is that it is very difficult to determine what is going to happen in 10 years. The city does not think it is fair to have its hands tied when the draft reclamation plan specifically says that the city will work with the Oakley Township Board and the County Board to come up with the final reclamation plan. Our thoughts are to leave it open ended so that all three parties together can come to some consensus as to what the future of that site is in 10 years – not right now while the future is still fairly uncertain.

Mike Baggett said there was some discussion of annexation. Josh Tanner explained that the City boundaries run over to that side of that lake. They don't abut directly against the property, but it is not unheard of for municipalities to annex things down the street or catty corner. When they say they must be adjacent to, it doesn't always mean right across the street. It happens where cities will annex property that they are not directly across the street from. The City does not run directly across the street, but it is not that far away. Mike Baggett asked, for the benefit of the committee, what the practical effect would be if the city decided to annex the 529 acres. Josh said that it would then no longer be the decision of the County Board. The County Board would no longer have any control over it. They would then have to go the city for a special use permit or whatever the city requires. Our terminology is special use permit to do something that is outside of the normal confines of zoning. If it is annexed into the city, they don't need this agreement any more. It would be the decision of someone at the city. Mike said the special use permit from the County would be moot if the city annexed the property making the stipulation that they pay the difference in taxes to the various taxing bodies a non-issue. The City would be under no obligation to do so. As a point of reference, the special use permit to which the city is agreeing to these stipulations includes a 10 year provision where they would continue to pay the difference in the taxes, but if the city either soon or in the future decides to annex the property, that stipulation would have no effect.

Kevin Greenfield said that he did not believe that that point was brought up at the Zoning hearing. Mike Baggett agreed.

Chair Dudley reminded the group that whatever happens at this EEHW committee meeting, it will go before the full board to be decided by the full board.

Kevin Greenfield made a motion to approve, seconded by Jerry Potts. Patty Cox expressed hope that the City of Decatur would be a good neighbor to the taxing districts at the end of the 10 years and doesn't just walk away from it. Chair Dudley agreed that that is what everyone is hoping for and with the dealings with the City in the past; there has not been reason to think that they would do that. Motion carried 4-0.

Macon County Board Resolution Regarding Case S-02-12-13, A Petition for Special use Permit Submitted by Enbridge Energy, Limited Partnership

Jennifer Hoffman presented S-02-12-13 petition by Enbridge Energy, Limited Partnership for a Special Use Permit to construct a pump station and maintenance building for the pipeline in A-1 Agricultural zoning. The property is commonly known as 5409 Park Road in Illini Township.

On December 4, 2013 a public hearing was held and based on finding of facts and the rules in the Zoning Ordinance the staff recommended approval with the following stipulations:

1. This special use permit does not constitute a license issued to the name Petitioners only. This Special Use Permit is intended to "run with the land."
2. This Special Use Permit is assignable and/or transferable only upon the sale or transfer in ownership of the subject property.
3. Said property shall not be subdivided into two or more parts for the purpose of transfer of ownership or possession or for building development.
4. This pump station facility and all related structures, equipment, and appurtenances upon said property and all operations thereof shall be attenuated to a noise level plus or minus 10 percent of those levels specified in the table named "Noise Quality Analysis for Decatur Pumping Station related to Southern Access Expansion Project", "Est'd Sound Contribution of the Station" column, on page "i" of the Report Summary of H&K Project No. 2181 dated December 11, 2007, a copy of which is hereby attached and incorporated by reference.
5. Equipment and appurtenances upon said property, specifically including but not limited to electrical motors and pumps, shall be enclosed in properly

designed and constructed sound dampening structures with sufficient sound insulating properties to meet the criteria specified in stipulation number 4.

6. Said property and all operations upon said property shall remain subject to all other applicable local, County, State, and Federal regulations including, but not limited to, the Macon County Zoning Ordinance, the Macon County Nuisance Ordinance, and the Macon County Subdivision Ordinance.

7. A new stipulation, this Special Use Permit will be voided if construction does not begin within eighteen (18) months of approval of said permit by the Macon County Board. This permit will be reviewed periodically for compliance as frequently as is deemed necessary by the Macon County Zoning Administrator, but not less frequently than once every ten (10) years.

The old Stipulation for #7: This Special Use Permit shall be limited to 10 years and is subject to review at the end of that time. Special Use Permit expires January 10, 2024. We have worked with Mike Baggett on creating the language on #7 to redo it so it says that if they don't construct within 18 months, they did not want to come back and get a special use permit. This is a renewal. They got a special use permit in 2008, but never built it. They are now coming back to us. When the 2008 special use permit was written, there was no time limit on it. Again, we want to put a time limit on it to make someone accountable to look and review these and not just make it indefinite. When the stipulation was redone, it was put in that they didn't want to come back in 10 years and have the committee say no when they have million dollar projects out there. That is why that language was changed. Mike Baggett clarified that the ZBA voted to strike the original stipulation #7 and replace it with the new stipulation #7 that is seen below the next Whereas clause. This is not something that the staff or the state's attorney's office in conjunction with the staff has done on their own at the request of the permit requestor, but this is the language that the ZBA passed. Jennifer added that Enbridge is also ok with that change.

Enbridge does want to make some changes on the stipulations. On #4, the date was December 11, 2007. They do now have an updated study. They did not have this updated study when they went to the ZBA. They now have the updated study with the 2013 data. When the original special use permit was obtained, it was only on 8 acres and now they are going to 14. They had to redo the study because of the placement on the property being different in relationship to the houses.

Chair Dudley requested an Enbridge representative come forward to explain the changes from the old study that was approved by the ZBA to the new study.

Chris Spesia, outside legal counsel for Enbridge, stated that the substantive change in the new study is the location of the pump station on the site. Now that there are 14 acres versus 8 acres in 2007, there is a 300' greater distance from the closest house so that sound level has dropped down. There is also a greater distance from the second closest home, but because it was pushed further north on the site, we are closer to residence #3 by 3,700' & #4 by 4,200'. Those levels went up 1.2 dba & the other went up .4dba. All of these levels are well below the state established levels. It is more accurate to refer in the condition to this 2013 study. The suggestion is to refer to the H&K Project #2943 dated 12/13/2013 and you can attach a copy. Chair Dudley requested Jennifer send them a copy.

Chris Spesia went on to say they had one other point of clarification on the 5th condition. They want to add this language; "With the exception of the main line valve cluster". All the other language is fine. This is above ground, but not housed within the building. We want to be very clear so when construction starts, someone won't say those valves are not in the building and the condition says everything has to be within the building. Chair Dudley asked if it was state regulation that that valve has to be outside of the building. Mr. Spesia said the federal regulations say it has to be 25' from the building.

Justin Baker, Project Manager for the pump station at Decatur, summed up that the main line valve cluster is used to shut the station off from the main line in case the pump station is not being used or if the pumps are needed to move oil. Regulations state that the first flange off the main line has to be 25' from the building for hazardous reasons. For that reason, those main line valve clusters have to be outside of the building.

Chair Dudley asked how their recommendation would state paragraph 5.

Mr. Spesia said it would start, "With the exception of the main line valve cluster" and then it would read the same.

Kevin Greenfield asked how big that was. Justin Baker said it is roughly a 30'x30' area. Within the containment area, there is a mainline pipe coming out of the ground. There are 2 valves on the mainline and 4 valves that come off the main line that isolate the facility from the mainline. They are all right next to each other. They are both electric motor operated valves and hand valves so that they can be operated from the control center or they can be operated on site by one of the representatives. They are inside the containment center.

Jerry Potts asked if the words, “per the Federal Regulation” needed to be included. Chris Spesia and Mike Baggett agreed that that was covered in #6. Mike Baggett said that #6 requires all operations to be in conformity with federal regulations. Mike added that he thinks it is a good idea to amend stipulation #5 just to be very clear, but it is covered by #6. Federal regulations trump a county special use permit. It’s a good idea to be clear, but it is not absolutely necessary.

Chair Dudley said there is also the amendment on the report dated December 13, 2013. Chris Spesia said that now it is project # 2943 and nothing else would change. He said this was covered under the condition read by Jennifer, but the second line attenuated to a noise level not greater than 10%. Kevin asked if they were ok with the 10 year. Mr. Spesia said yes, that right now it says they can review the permit and they are saying not less than 10 years and that is fine. They can do it every day if they want.

Chair Dudley asked if there was another line they wanted amended. Jennifer said on the 10% line, it says no more than 10% over. Chair Dudley read that it says, ”noise level plus or minus 10% of those levels specified in the data table.” Mr. Spesia said that the plus or minus gets confusing because we don’t want to be out of compliance with our condition if we are less than the sound levels. That would be quieter. We just want to strike “plus or minus” and say, “not greater than”. That was the original intent.

Kevin Greenfield made a motion to approve the amendments as presented, seconded by Patty Cox, and motion carried 4-0.

Patty Cox made a motion to approve the resolution with the amendments, seconded by Jerry Potts, and motion carried 4-0.

Macon County Board Resolution Adopting the Revised Land Evaluation and Site Assessment (LESA) System as a Land Use Decision Making Tool

Jennifer Hoffman explained that in 2003, The Macon County Board passed a resolution to adopt this system to be used in planning to decide if agricultural land should be developed on. When this was passed by the County, it was not reviewed and approved at the State level. So I have been contacted by Department of Agriculture that this document and soils information needs to be reviewed, updated, and passed by the County Board. I have been working with Department of Agriculture and Natural Resource Conservation Service (NRCS) to update this document and that is what I have prepared in your packet.

Patty Cox asked if this where they go out and measure the soil. Jennifer explained that she pulls the soil maps and decide how much soil is on each property. It is used when farmland is taken out of production for a subdivision. The soils are looked at for productivity to determine if it is feasible to take out of production or if it needs to be left due to the passage of the comprehensive plan that has been passed by Macon County that says farm land is to be preserved. This is the planning tool used to decide if it is ok to take out of production or if it needs to be left productive.

Kevin Greenfield asked if the tool had been changed. Jennifer said yes. The wording has been updated. NRCS and the State Conservationists have reviewed the soils. In 2011, the Macon County soils and productivity were updated by them. The actual system and intent is still the same. Patty Cox asked if the state agrees with the tool as Jennifer is presenting it. Jennifer said yes. Kevin Greenfield asked if Jennifer needed this approved right away. Jennifer said there is a subdivision that is potentially coming up that will be taking farm land out of production. Kevin said he had not had a chance to look at it and would like that chance, but didn't want to cause problems in the P&Z office. He asked if waiting 30 days would hurt anything. Jennifer said she was not sure when the subdivision would be coming in. She thought January or February. By delaying this for 30 days, it would go to the January EEHW meeting and the February Board Meeting. She said she thought it could wait. Chair Dudley stated that the tool is very complicated, but he wants the committee to be comfortable with it. Kevin said he would like the opportunity to sit down with Jennifer and go over it.

Kevin Greenfield made a motion to table, seconded by Patty Cox. Jerry Potts asked how the determinations are made. Jennifer said they do not do any soil sampling, but this is all based on the soils map. The State Conservationists, NRCS, have already done all of the soil testing. She said she makes the determination by the numbers they give her on the map. The numbers tell how many acres of soil are on the property, how productive the soil is, and how erodible the soil is, etc... She said you also look at it from the planning standpoint as to how close to a school it is, whether utilities are available, road access, etc... It is all put together into a scoring system and that is presented to the planning commission. Jerry asked about liability. Jennifer said it is a State System that provides the numbers. Tim Dudley asked if there were any red flags in the study. Jennifer said the soils information was very outdated. Tim asked about the findings. Jennifer said she had been working with IDNR and the State Conservationists on this. They have looked at the final document and it has already been up to the state level and the Department of Agricultural. Jerry asked

if Jennifer had made any changes other than cosmetics. Jennifer said yes. Jerry said he didn't really see a reason to postpone it. The motion carried 4-0.

Chair Dudley complimented Jennifer on the hard work and excellent job her department has been doing.

REPORTS

Subdivisions –

No Report

Veterans Assistance

No report

Planning & Zoning

No report

Health Department

No report

Animal Control

Kris Horton reported that they are still doing the Home for the Holidays Foster Program. There are 50 to 60 animals out through that program. As of today, 1000 adoptions have been done this year. Last year was a record at 988. Last year 85% to 90% of the fosters were adopted.

Numbers are finally starting to back down. Pregnant dogs and cats and litters have been coming in regularly. This has been the latest this has been observed, but as of this week, they are finally starting to slow down. Kris said they have been at or over capacity for months, but they now finally have a couple of empty kennels.

Chair Dudley thanked Kris for all the outstanding work they do for the animals.

Environmental Management

Laurie Rasmus reported that they are doing a year end wrap up of a couple of programs. The drop off recycling trailer program provides boxes that are dispersed throughout the rural areas in the county where residents are not serviced by curbside collections. The boxes are used to collect the same type of recyclables that go into the single stream municipal collections like paper, plastic, cans, etc... There was a slight increase in 2013 versus 2012 by about 5 tons for a total of 212 tons collected this year.

Paint collections for this year came in at 4,300 gallons. One of the great things that has come out of the paint program is that as people bring in their paint, an opportunity to answer questions and discuss recycling presents itself.

Laurie also handed out a copy of the flyer they are handing out this holiday season that explains cut tree, wrapping paper & box, and Christmas Light recycling.

Chair Dudley thanked Laurie for all the hard work and the great job they are doing. He also thanked all the townships for their part in increasing the recycling awareness and numbers.

Regional Office of Education

No report

Kevin Greenfield asked if any sales tax information had been received. Chair Dudley said they would have it next month.

Tim Dudley added that yesterday was the ribbon cutting for Eisenhower High School. There was a good crowd there and he encouraged everyone that hasn't seen it yet to do so. It is state of the art.

Citizen's Remarks

Shirley Stanley, President of Decatur Macon County Animal Shelter Foundation, spoke about the Home for the Holidays program saying that the 50-60 animals that are out will need to be either returned or adopted by January 10. If they are adopted, the fee is half price and the foundation picks up the other half. Macon County residents are the only ones allowed to take the animals home as fosters. Eleven animals went out the first year, so we've come a long, long way.

The Foundation continues to accept unused, leftover, broken bags of dog food from PetSmart and take those to Catholic Charities who are the only ones in Decatur that will collect and dispense pet food. Between 500-600 pounds a month are collected.

There are 2 trainers that are being funded by the Foundation to take an intensive course. These people will work with shelter animals and train other volunteers to work with the animals, and eventually train people who have adopted to work with the shelter pets.

Relationships with Champaign County Humane Society have been established and they have taken 6 dogs from our shelter. This is great!

Santa photos were done again as a community outreach. We were the only agency to partner with PetSmart. This should enhance the grant writing opportunities.

An open house at the shelter was hosted on 12/14 from noon to four.

Last week the Foundation Facebook hit 24,000 hits.

Chair Dudley thanked Shirley for the great job and said the animals thank her too.

OLD BUSINESS

None

NEW BUSINESS

None

Closed Session

None needed

NEXT MEETING

Next regular meeting - Thursday, January 16, 2014

ADJOURNMENT

Jerry Potts made a motion to adjourn, seconded by Patty Cox, the motion carried 4-0 and the meeting was adjourned at 6:35 p.m.

Minutes submitted by Jeannie Durham
Macon County Board Office