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MINUTES

SANGAMON COUNTY BOARD

JULY 12, 2011

The Sangamon County Board met in Reconvened Adjourned June Session on July 12, 2011 in the County Board Chambers. Chairman VanMeter called the meeting to order at 7:02 p.m. Mr. Moore gave the Invocation and Mr. Fulgenzi led the Board in the Pledge of Allegiance.

ROLL CALL

Chairman VanMeter asked the County Clerk to call the roll. There were 28 Present – 1 Absent. Mr. Schweska was excused.

PRESENTATION-STEVE STURM

Steve Sturm, residing at 517 Augusta in Chatham, addressed the Board. He stated that he is representing the Springfield Area Home Builders Association. He addressed the Board regarding the adoption of the 2009 Energy Code. They drafted a letter stating their position regarding what has gone on in the past with the Energy Code. The County Board did adopt a Code in 2003, and it was opposed at that time because they were the only entity in this whole entire area enforcing an Energy Code. It was causing some unfair building positions in Central Illinois. It was suspended until further notice; however, in 2009 the Federal Department of Energy decided to force one on them. They offered a portion of \$3.1 billion in stimulus money to any State that would adopt an Energy Code, and Illinois jumped right on it. There was legislation going through the Capitol that year that would make Leed H their statewide Energy Code. Leed H is a green building standard that is rather difficult and expensive to reach. That year they lobbied for the 2006 I.E.C.C. because it had standards in it they thought they could live with. However, the Department of Energy found out they wanted to specify a code and told them they could not do that. If you specify a certain Code in your legislation you would risk losing your part of the stimulus money. The legislation had to read the most recent published Code. By the time Governor Quinn signed it in August 2009, and it came out of the rules committee and C.D.B. in October 2009, they had the 2009 Code published. The 2009 Code is higher than the 2006 Code, and the 2012 Code will soon be coming out, which would be even higher than the 2009 Code. They do think it should be market driven, but unfortunately it was kind of forced on them.

They had to basically pick their poison. They picked the 2006 and that didn't work, so they had to adopt the 2009. Now it is going to be the 2012 because this was signed into law stating the most recently published Code. When the 2012 is published and printed, it will then become their State Energy Code. He stated that he also attached a letter written by Governor Quinn, sent to Steven Chu, Secretary of the Department of Energy, which was dated March 3, 2009. They didn't lobby that year for any Energy code until April 2009, and obviously it wasn't voted on until some time in May. It went to his office and he signed it in August. It was basically a done deal in March to get an Energy Code in place in Illinois. Springfield did adopt the Code and it is the only entity in Sangamon County enforcing it. Sherman does require a REScheck, which is a computer program that a builder would input their residence in and it would tell them if they pass the Code. Sherman is requiring that; however, they do not really have any inspections. Mr. Sturm stated that they want to be on official record, with their past history with the Code, stating they feel it would probably be better to adopt it so they can give proof they did satisfy the Code. It also might keep some court cases down. The only way to prove someone didn't build to Code is to take them to court, and nobody wins in that situation.

Mr. Goleman asked what the legislation has done for their business. He asked how much more it costs. Mr. Sturm stated that it costs the average homeowner \$10,000 to \$15,000 more in increased costs. Mr. Goleman asked if this has hurt their business with the recession they have been in. Mr. Sturm stated that the timing is horrible and it couldn't be worse.

Mr. Krell asked if this was a unanimous vote by their board of directors. Mr. Sturm explained that they lobbied for it with their fellow members across the State in 2009 with the Homebuilders Association of Illinois. They really have not taken a vote, but this letter, to present the case, was approved by their board members.

Mr. Moore asked Mr. Sturm to tell them a little bit about the availability of materials on the marketplace to help builders comply with this Code. Mr. Sturm explained that there are materials in place, not real easy to obtain or inexpensive materials, but you can trade off and do different things with the REScheck program. You can do different things with wall insulation and attic insulation to achieve the Code. The 2009 Code says wall insulation has to be R20. There is no R20 insulation, but you can achieve it with spray foam that expands and is very expensive. You can move things around and trade off and satisfy the Code that way, but you cannot go to a lumber yard and buy R20 insulation because it is not yet available.

Mr. Fulgenzi asked if they have looked at petitioning the State to repeal or delay this. Mr. Sturm stated that they have not because of the stimulus money. The last page of the letter from Governor Quinn states how they expected the stimulus money to be issued immediately. They have probably already used some of it, and he highly doubts they will give it up.

Mr. Boyster asked if this will affect their weatherization program. Brian McFadden, County Administrator, explained that a portion of the stimulus money for weatherization did come from the Stimulus Act. They do most of the grants upon signature and do comply with all relevant State statutes.

Mr. Sturm explained that this is a State law, but they do not have an official State Building Code. In a lot of communities this would be unenforceable and would make unbalanced building situations across the State. Whether you adopt it or not, it does not relieve the builder from his obligation to satisfy the Code.

Mr. Moore asked Mr. Sturm to explain this a little bit further. He asked how it would affect a builder in Montgomery County. Mr. Sturm explained that it is a State law, so any structure being built should satisfy the Code. There is a stipulation in the law that says if you are not enforcing energy standards at the time this was signed into law, you do not have to adopt this and enforce it. That would be the only way Montgomery, Morgan or any other county would not have adopted this. There are only 36 counties in the State of Illinois that actually enforce codes; however, there are entities in those communities that do. There are energy standards in the International Residential Code that builders have to live up to. The County would probably have to adopt this because they are enforcing an energy standard in the International Residential Code.

Mr. Hall stated that he has four other counties adjacent to his district. There are school districts that cross over, and his concern is they are going to drive growth and business out of Sangamon County if they adopt this Code. The idea of giving an adjacent area an unfair advantage, because of our own laws, is pretty hard to swallow. He has spoken to other people on the County Board who are also arguing this, and it just seems bad to do right now. There are homes in the area that are not being built now, and people are not working. Mr. Sturm clarified that this is State law, and even people in Morgan County should build to and satisfy the Code.

Mr. Mendenhall asked who enforces this State law. The State is not going to enforce it. Mr. Sturm stated that he guesses it would be the courts. Mr. Mendenhall asked who would turn them in. Mr. Sturm stated that homeowners or attorneys would. Mr. Mendenhall stated that homeowners would not turn them in if it is going to cost them an additional \$15,000 to build their house.

Chairman VanMeter asked Mr. Moore if they would be voting on a Resolution this evening that addresses this issue. Mr. Moore stated they would, and he does have an amendment when that comes up.

MINUTES

A motion was made by Mr. Montalbano, seconded by Mr. Bunch, for approval of the minutes of June 28, 2011. A voice vote was unanimous.

MOTION CARRIED
MINUTES ADOPTED

CORRESPONDENCE

A motion was made by Mr. Bunch, seconded by Mr. Montalbano, to place correspondence on file with the County Clerk. A voice vote was unanimous. There was no correspondence to file.

RESOLUTION 1

1. Resolution approving the low bid for a maintenance storage building.

A motion was made by Mr. Fraase, seconded by Mr. Goleman, to place Resolution 1 on the floor. Chairman VanMeter asked the County Clerk to call the roll. Upon the roll call vote, there were 27 Yeas - 0 Nays.

MOTION CARRIED
RESOLUTION ADOPTED

RESOLUTION 2

2. 2011-22 – Carole Grigiski, 3955 N. Dirksen Parkway, Springfield – Denying a Rezoning and Granting a Use Variance and Variance. County Board Member – Jim Good, District #8.

A motion was made by Mr. Good, seconded by Mr. Stumpf, to place Resolution 2 on the floor. A motion was made by Mr. Moore to waive the reading of the professional staff's report. There were no objections. A voice vote was unanimous for the adoption of Resolution 2.

MOTIONS CARRIED
RESOLUTION ADOPTED

RESOLUTION 3

3. 2011-29 – Peter C. Houser, 5380 W. Washington, Springfield – Denying a Variance and Granting a Use Variance and Variance. County Board Member – Abe Forsyth, District #27.

A motion was made by Mr. Forsyth, seconded by Mrs. Musgrave, to place Resolution 3 on the floor. Chairman VanMeter asked the professional staff to give the procedural history of the case.

Cyndi Knowles, professional staff, stated that the petitioner is requesting a rezoning from "A" agricultural district to "I-1" restricted industrial district to allow a contractor's office shop and yard with outside storage, and a variance to allow two principle uses on one parcel and a variance to allow a residence in the "I-1" restricted industrial district.

Molly Berns, professional staff, stated that the staff recommends denial of the spot "I-1" zoning. Although the LESA score of 131 indicates the property is acceptable for non-agricultural development, "I-1" zoning is seen as too intense in the immediate area. The staff does not recommend a use variance for a contractor's shop and yard with outside storage of heavy material and equipment, as it could have a negative visual effect to the surrounding area. However, to be consistent with previous cases, a use variance for a contractor's shop and yard with inside storage is recommended.

The staff recommends denial of the variance request to allow a residence in the “I-1” restricted industrial district as it is not needed if the recommendation of a use variance is approved. The staff recommends approval of the variance request to allow two uses on one parcel to allow the single-family residence and the contractor’s shop and yard with inside storage if the recommendation of the use variance is approved. Cyndi Knowles stated that the Zoning Board of Appeals concurs with the staff report and recommends denial the “I-1” zoning, but in the alternative, to grant a use variance to allow a contractor’s office, shop and yard with inside storage of the contractor’s equipment and materials and a variance to allow two principle uses on one parcel.

Pete Houser, residing at 5380 W. Washington in Springfield, addressed the Board. He stated that he does not have outside storage so far. This will cause a slight hardship for a while, but he does have plans to build storage. They have been qualified for financing but have not yet received it. He stated that he has done some clean up and block work and has built a fence. This has taken most of his time so his equipment and hand tool pile is a little messy. He has a frustrated neighbor because he made him respect the property boundaries. He is requesting the use variance to allow outside storage, and hopefully he can get along with this guy and he won’t have any more complaints. The outside storage is needed for some small equipment.

Mr. Forsyth stated that there is a lot of equipment stored on the outside. He asked how long it would take him to get this cleaned up. Mr. Houser stated that he has been working on it, and has taken one load to the landfill and some to the metal yard. He has been doing a pretty good job of making it look better. Mr. Forsyth asked how big the storage shop would be. Mr. Houser stated it would be 26x10 or so. Mr. Forsyth asked if everything else would be carried away. Mr. Houser stated that it would not. He has hand carts, wheelbarrows and things that are commonly stored outside. He has been working on this. It is a small eyesore, but is nothing too bad. Mr. Forsyth asked if he was planning on having livestock. Mr. Houser stated that he plans on having a couple cows or pigs, but he would have to build the fencing first. They just put beans in, and there is almost eight acres of farm ground. The property is in good mowing condition. It is a bit of an eyesore up front, but if you walk around the whole place, it’s just his little slice of heaven.

Mr. Forsyth asked if he has been reprimanded a couple times about the condition of the property. Mr. Houser stated that he was just recently cited by the Public Health Department, and they have given him 30 days to clean it up. He believes he is now in compliance. Mr. Forsyth asked what kind of fence he would put up for the livestock. Mr. Houser stated that it would mostly be field fencing. Mr. Forsyth stated that according to the report he read there were quite a few people objecting to the zoning. He asked how this changed their minds. Mr. Houser stated that he gets along with his neighbors, except for one. Most of them just don’t want it to turn into a recycling yard. His request for a variance was originally for a tall gate he had up because it was out of compliance. They expressed concerns if he started a junk yard there it would lower their property values. He stated his intention is not to start a junk yard. He just wants to maintain the tools he needs. Mr. Forsyth asked if the zoning issue here is to get a variance to allow no outside storage. Mr. Houser stated that he would accept a use variance for outside storage, but he thinks the Board is recommending only inside storage.

Chairman VanMeter asked Mr. Houser if he understands that he would only be allowed to have inside storage if this Resolution passes. Mr. Houser stated that he does understand.

Mrs. Fulgenzi stated that they have some photographs which show quite a bit of outside storage with some sheds and some rather ragged looking fencing. She asked if the shed has been removed from the property. Mr. Houser stated that he has done a few repairs to it. Mrs. Fulgenzi stated it looks like it needs more than a few repairs. She asked if he has inside storage there. Mr. Houser stated that there is storage in there. Mrs. Fulgenzi asked if some of the items outside have been cleared up and taken away. Mr. Houser stated that he took out 900 pounds of material and took several tons to the metal yard. He also sold a few pieces to people. He has been trying to stack it up neater. Mrs. Fulgenzi asked if he has a building permit for all of this what the date of it is. Mr. Houser stated that he does and he thinks he took it out in 2005 or 2006 for the single-family residence. Mrs. Fulgenzi asked if the residence has been completed. Mr. Houser stated it is not completed. Mrs. Fulgenzi asked how long it has been since he worked on it. Mr. Houser stated he has worked on it this week. Right now he needs to work on the plumbing and lay out the slab. Mrs. Fulgenzi stated that in five or six years, he is not moving very fast. He stated that he has several thousand dollars put into the project and has done several things. Mrs. Fulgenzi asked if his neighbors are accurate in their concern about the length of time it is taking. Mr. Houser stated there was just one guy that sent the nasty letter. The only objection was a few of the neighbors were concerned about their property values if it were a junk yard. He did have a petition that everyone signed about his tall gate which does not bother anyone. Mrs. Fulgenzi explained that the tall gate does not seem to be as much of a problem as the condition of the property.

Mr. Montalbano asked if there is an objector present to verify some statements. Chairman VanMeter stated that he asked if there were any objectors and he does not think there are.

Chairman VanMeter asked for a voice vote on the adoption of Resolution 3. A voice vote was unanimous to deny Resolution 3.

MOTION CARRIED
RESOLUTION DENIED

RESOLUTION 4

4. 2011-30 – Richard C. Hollinshead, Level Three Property, 2935 E. Sangamon Ave., Springfield – Granting a Conditional Permitted Use. County Board Member – Jim Good, District #8.

A motion was made by Mr. Good, seconded by Mr. Stumpf, to place Resolution 4 on the floor. A motion was made by Mr. Moore to waive the reading of the professional staff's report. There were no objections. Chairman VanMeter asked the professional staff if all interested parties were notified of the meeting tonight. Molly Berns stated that they were and they all signed in and were notified fully, on the record, of the meeting. A voice vote carried for the adoption of Resolution 4. Mr. Smith voted Present.

MOTIONS CARRIED
RESOLUTION ADOPTED

RESOLUTION 5

5. 2011-31 – Christopher L. Maurer, 4526 Old Salem Lane, Springfield – Denying a Rezoning and Granting a Use Variance. County Board Member – Abe Forsyth, District #27.

A motion was made by Mr. Forsyth, seconded by Ms. Dillman, to place Resolution 5 on the floor. A motion was made by Mr. Moore to waive the reading of the professional staff's report. There were no objections. A voice vote carried for the adoption of Resolution 5.

MOTIONS CARRIED
RESOLUTION ADOPTED

RESOLUTION 6

6. Resolution approving a contract with Kalola & Company for janitorial services.

A motion was made by Mr. Fulgenzi, seconded by Mr. Stephens, to place Resolution 6 on the floor. A voice vote carried for the adoption of Resolution 6. Mr. Boyster voted Present.

MOTION CARRIED
RESOLUTION ADOPTED

WAIVER OF TEN-DAY FILING PERIOD

A motion was made by Mr. Montalbano, seconded by Mr. Bunch, to waive the ten-day filing period. A voice vote was unanimous.

MOTION CARRIED
TEN-DAY FILING PERIOD WAIVED

RESOLUTION 7

7. Resolution amending Resolution 12 from the February 13, 2001 County Board meeting.

A motion was made by Mr. Goleman, seconded by Mr. O'Neill, to place Resolution 7 on the floor. A motion was made by Mr. Goleman, seconded by Mr. Montalbano and Mr. Smith, to amend Resolution 7. Mr. Goleman stated that Resolution 7 should be amended to read as follows: strike the wording in the last sentence starting with "Any officer may succeed himself or herself" and amend with the following wording, starting with language after the words to read "The offices of Vice-President, Secretary and Treasurer will be elected every two years and no individual can serve more than two elected terms or four years consecutively. The term for President, which is spelled out in the by-laws, would remain the same with rotation every two years between a union followed by a non-union representative."

A voice vote was unanimous on the amendment. A voice vote was unanimous on the motion to adopt Resolution 7, as amended.

MOTIONS CARRIED
RESOLUTION ADOPTED

OLD BUSINESS

A. Resolution 12 – Tabled 6/14/11

Resolution approving the adoption of updated versions of building codes and to amend Section 15.05.070 of the Sangamon County Code.

A motion was made by Mr. Moore, seconded by Mr. Davsko, to bring Resolution 12 from the table. A motion was made by Mr. Moore, seconded by Mrs. Fulgenzi, to amend Resolution 12 as follows: in paragraph 9, which begins “NOW, THEREFORE, BE IT RESOLVED”, after the colon in that paragraph the line should be amended to include the following: “effective the 30th day of September, 2011”. Mr. Moore explained this is the section that changes the Energy Code. After some discussions with those groups, the builders and members of this body, they felt it would be important to let the building community know they have adopted this, but will make it effective at the end of September. This gives them time to get their buildings and expectations in place for enforcement.

Chairman VanMeter asked if there was some conversation about delaying adoption of this Resolution until the 2012 Building Codes were prepared. Mr. Moore stated that they did discuss this with Mr. Sturm and his organization this afternoon. There was some idea that it might be better to go ahead and adopt the 2012 Code, which is coming out very soon. Upon further investigation, they found out it is not even coming out until January, so they thought it was best to adopt the 2009 version with the 60-day delay on the effective date so the building community can be on notice and be ready for that enforcement. They also did not want to wait that long because they are responsible to other communities in the County, since they are the enforcement body, and they want to get this on the books accordingly. Chairman VanMeter stated that those communities had expressed some anxiousness about providing them some certainty. Mr. Moore concurred.

Mrs. Fulgenzi asked if anyone requesting a permit after September 30th will have to live up to these standards or anything that is completed during this period. If someone starts a house August 1st and doesn't complete it until November 1st, do they have to meet those guidelines? Chairman VanMeter explained that any building inspected after September 30th will have to comply. Mrs. Fulgenzi asked if they would still have to comply with the new Code if a building permit was issued before September 30th and it's not completed before then. Chairman VanMeter stated that they would.

Mr. Fulgenzi asked if they would have to go by the present building permits if they applied before September 30th. Chairman VanMeter stated that counsel informs him inspections after September 30th would still have to be conducted in conformance with the Code they are adopting this evening, regardless of when the building permit was issued.

Dwayne Gab, Assistant State's Attorney, explained that this would be a completion certificate rather than a building permit. With a building permit, the Code could be unenforceable for years.

Mr. Smith asked how they can change the rules after someone has already started building to a pre-determined set of plans.

Mr. Gab stated they can because it is a completion certificate and not a building permit. Mr. Smith asked what the completion certificate is. Mr. Gab explained it is the final inspection when you build a home.

Mr. Hall asked if someone under construction right now would go to the bank and gets \$80,000 and the construction is not completed before the end of this, they would need to spend another \$8,000 to \$10,000. It doesn't seem fair for anyone who is already under the construction process. He asked if there is any way they can re-draft this. Mr. Gab stated it is his understanding that this is a completion certificate.

Mr. Moore explained the spirit of adding the 60 plus days was so that people can get their projects completed versus doing it now. He would not be opposed to putting wording in here to make it prospective only, but he does not want to draft legislation on the floor.

Chairman VanMeter explained the concern being raised about the law changing in mid-process is not an issue that is really subject to the reach of their regulations. It is really a matter of the operation of State law. There is kind of a tradition in the law that when the law changes everyone has to comply with the new change in the law. Often times you are given a grace period to make those adjustments. This is what they are trying to do with the 60-day notice provision.

Mr. Snell stated somehow this is not right. They are going to get caught out there with people that have made bids in good faith expecting one thing and then will have to spend another \$10,000 to \$15,000, and will sometimes have to deconstruct to construct. Can they form a vehicle here to let that building/completion permit allow this if it's by a certain date? He just does not see how they will start out with one set of rules and then say "oh, by the way, you have to change". Mr. Gab stated they could draft it anyway they choose to, but they would not be enforcing the law in regard to the building permits that remain active. A building permit isn't something that happens immediately. You could be on a permit for around two years. Part of the problem is this would leave their enforcement of the building code open ended to a large degree. You can pass whatever you like here, but compliance with State law would be in jeopardy. The remedy lies with the legislature. They have grants and funding and liability in regard to issuing of the certificate of completion and saying they are in compliance. The legal concerns do exist. He is not in a position to say it would all be well for the County if you do not change the Building Code.

Mr. Snell stated that someone could be 60 days into a building project and in 60 days from now they are still putting on shingles. The weather they had earlier this spring delayed a lot of projects for four to eight weeks. When they get to the end someone is going to say they are in violation. Mr. Gab clarified that they would have to comply with the Building Code as it exists on the date of the completion certificate.

Chairman VanMeter gave another example. Say you are building a house with materials that are subsequently found to be highly toxic. You have built the house and it is almost finished, so should you just be able to complete the house? You built a house in good faith, but it turns out the materials were toxic. The same principle applies with this. When the law changes you do have to comply with the new law.

Mr. Mendenhall stated that this is ridiculous just because the State can't get their act straight. All they are going to do is tie up the court system.

Mr. Goleman stated he does agree that this is totally wrong. What is wrong is when you have a federal government that thought they knew what was best for them. They threw more regulations in this bill and then dangled the carrot out in front of state governments and said "Oh by the way, here is some stimulus money you can have and if you take this money you have to meet these new Codes". This is the thinking that has gone on in this whole process. Since the State of Illinois took the money, they now have no choice. He urged the Board to listen to what Counsel has said here tonight and to listen to what the Chairman has said. There is too much at risk if they do not do this. He does not want to get into a lot of details, but this is all he is going to say for right now.

Mr. Bunch stated that this is very confusing. He does not understand why they are voting on a building code when the State does not have one. He does not understand how you can have laws on the books, but they don't have a law that says we have to do this. He does agree that they will have to move forward with this whether they like it or not.

Mr. Fulgenzi asked if the County would be in compliance with State law if they said that all building permits issued by September 1st or 30th would have to comply with this ordinance, no matter when they are completed. Mr. Gab stated that they would in regard to the Code they do enforce and would not in regard to the Code they do not enforce. He cannot predict if the State would take action. Legally they would be in a bad situation if they do not comply with this. Mr. Fulgenzi asked if they could get a ruling by the State Attorney General. Mr. Gab stated that he is sure they would get a ruling from them in about a year from now and they would probably say to comply with State law.

Mr. Krell stated that Mr. Sturm was saying there are probably some materials that are not even out there yet required to enforce these Codes. That is going to put people at odds to find the materials to even meet the Codes. Now he is hearing there is something Mr. Goleman was saying that they are not seeing and they are not privy to some information. He has had to vote on several things lately that were kind of forced down his throat. There was the 1% sales tax, the power plant they were coerced into building and there is also the high speed rail. He stated that he is going to vote no on this tonight as a protest.

Mr. Goleman stated hypothetically if there is a law with some sort of grant which has been adopted and in force and there is a governing body that chooses not to accept that law, the State could come back and say they would have to pay the money back even if the money was spent. If the County doesn't have the money because they spent it, what would they do?

Mr. Krell asked if they have spent any of the money yet. Chairman VanMeter stated that they have spent all the money. They were told they had to spend the money within a year. It was a really ridiculous amount of money they had to spend on window caulking when they are laying off Sheriff's Deputies.

Chairman VanMeter asked Mr. McFadden if they have received a letter from the State saying that at some point they are going to enforce this by potentially taking money back. Brian McFadden, County Administrator, stated that the County received approximately \$11 million in stimulus funds for various purposes. Each of those agreements contained language to make sure all State laws are applicable. They did receive a generic letter stating that those funds may be in jeopardy as well as their bond proceeds which were also issued under the Stimulus Act. That amount was approximately \$13 million.

Chairman VanMeter stated that they have taken this long to adopt the regulations because the law seems so difficult to comply with, particularly without some of the materials available to them to comply. He stated they think they have delayed the implementation of this law as long as they reasonably can.

Mrs. Fulgenzi stated that she understands about the stimulus money, but she has a problem with those homeowners who are submitting for a building permit in good faith with a set of plans and meeting all of the criteria they have at that time. They then come along before the house is finished and change the law. The homeowner is going to say they have a contract for this house and it is not their fault that the law changed. The builder has to now meet those criteria and eat that cost. In the past, laws have changed and you would build according to the permit issued to you. After the date when the new law went into effect, any permits would have to be built according to the new laws. To change it in mid-stream is so unfair. There has to be a way to take care of those permits that are hanging out there. If someone is six months into a project that might take nine months, they are in the finishing stages. That means you would need to do demolition to bring it up to code. It is going to be crazy. They may see people picketing outside on the sidewalk that are going to be so opposed to this. They need to have some sort of recourse for those people who would not be completed by September 30th.

Mr. Gab stated that you can draft the law any way you choose, and if you choose to draft it to exempt permits issued before September 1, August 1 or today, you can draft that law. This would not really relieve his anxiety or concerns regarding potential liability this County has regarding grant funding. They are just in a horrible position. If they had professional staff here, they could explain to you other liabilities that might exist if you continue to approve permits that don't comply with State law. There are real issues with certificate compliance and they go beyond grant funding and stimulus money. Ultimately, the policy decision is not your attorneys.

Mr. Stumpf stated that he agrees with what Mr. Goleman has said. He thinks they could possibly wait one more month on this. A motion was made by Mr. Stumpf, seconded by Mr. Mendenhall, to Table Resolution 12 and have Mr. Gab explore the issues that Mrs. Fulgenzi brought up, and maybe next month we can vote on this. A voice vote was unanimous.

**MOTIONS CARRIED
RESOLUTION TABLED**

OLD BUSINESS (continued)

- B. Resolution 19 – Tabled 6/14/11
Resolution approving the re-alignment of precincts.

Chairman VanMeter stated that this Resolution will be ready for the September County Board meeting. The circulation of petitions begins September 6th. The precincts will not be finalized until after their meeting on September 13th.

NEW BUSINESS

- A. Resolutions

There were no new resolutions.

- B. Appointments

Appointment of Dwayne Gab as the Sangamon County Ethics Officer for a term expiring December, 2012.

Appointment of James Stone as the Sangamon County Weed Control Supervisor for a term expiring December, 2012.

A motion was made by Mr. Montalbano, seconded by Mr. Bunch, for approval of the appointments. A voice vote was unanimous. The list of appointment nominations was also submitted.

REPORTS OF COUNTY OFFICIALS, SPECIAL COMMITTEES, STANDING COMMITTEES AND COMMITTEE REPORT ON CLAIMS

A motion was made by Mr. Bunch, seconded by Mr. Montalbano, to place the Committee Report on Claims on file with the County Clerk. A voice vote was unanimous.

MOTION CARRIED
REPORT FILED

RECESS

A motion was made by Mr. Montalbano, seconded by Mr. Bunch, to recess the meeting to August 9, 2011 at 7:00 p.m. A voice vote was unanimous.

MOTION CARRIED
MEETING RECESSED