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## **MINUTES**

### **SANGAMON COUNTY BOARD**

**OCTOBER 11, 2011**

The Sangamon County Board met in Reconvened Adjourned September Session on October 11, 2011 in the County Board Chambers. Chairman VanMeter called the meeting to order at 7:00 p.m. Mr. Smith gave the Invocation and Josh Moore, 1<sup>st</sup> Class Scout, led the Board in the Pledge of Allegiance.

### **ROLL CALL**

Chairman VanMeter asked the County Clerk to call the roll. There were 27 Present – 2 Absent. Mr. Davsko and Mr. Good were excused.

### **GUEST SPEAKER – SISTER KATHERINE WITH SACRED-HEART GRIFFIN**

Mr. Hall introduced Sister Katherine O'Connor with Sacred-Heart Griffin to address the County Board regarding the issuance of Economic Development Revenue Bonds. She thanked the County for the issuance of these bonds on behalf of Sacred-Heart Griffin and many other not-for-profits to which they have given assistance through issuing bonds. She stated that they clearly realize there is no obligation on the part of County taxpayers to pay for these bonds. Payment for their bond is entirely the obligation of Sacred-Heart Griffin. All schools, whether not-for-profit or public, need infrastructure improvements. They are extremely grateful to the Sangamon County Board for issuing Sacred-Heart Griffin Economic Development Revenue Bonds in 2010, and now again in 2011, to help provide their facility with needed infrastructure repairs.

### **GUEST SPEAKER – JAMES O'CONNELL, PRESIDENT OF THE LINCOLN LAND AREA LOCAL 239 AMERICAN POSTAL WORKER'S UNION**

Mrs. Ruzic introduced James O'Connell to address the County Board regarding the closing of the Springfield Processing & Distribution Center of the U.S. Post Office. Mr. O'Connell stated that he spoke to the City Council about the Postal Service's plan for consolidation. He also spoke with Mayor Houston and to Dick Durbin's office. He explained that he gave them the same handouts he gave to the County Board.

The Postal Service is planning this huge consolidation, and the handouts explain where all the offices are now, what they are looking at closing and what the proposed closings would be. They are proposing to close about 300 out of 500 mail processing offices across the Nation. Their particular processing office is slated for closure, but they want to keep Champaign and Peoria offices open. There would also be a couple in Chicago and two in St. Louis. The mail they want to take from here would be taken to St. Louis, Missouri to be processed. There are places like Rockford that would have their mail sent over to Wisconsin. They also want to close Carbondale and Centralia and send their mail to Indiana. Basically, a lot of mail in this state would be processed in other states. They currently have a lot of Secretary of State mail that is always sent to Rockford. If all that is shut down, then our Secretary of State mail would be going to Wisconsin. The other mail they process here, such as revenue, would go down to St. Louis.

This will potentially affect 302 employees, including 155 clerks, 58 mail handlers, 42 maintenance personnel, 11 garage employees, 6 drivers, 8 postal support employees and 22 supervisors. This would take revenue out of this community because they have to drive to St. Louis everyday, and there is no way they could possibly afford this gas. They would have to sell their houses and move down there. St. Louis was shown as the #2 mail processing service in the Country for delayed mail. He does not know why they would want to send them the amount of mail we process in a day, which is roughly about 1 ½ million pieces, when they can't even handle what they currently process. He stated that he has worked for the Postal Service for 15 years and they have always put the cart before the horse. This is just one more thing they will do and then work it out after it is done. The victims here are not only going to be these jobs, but will also be the public who receives their mail. Their mail will have to be sent to St. Louis to be processed and sent back here for distribution to them. Anything that goes to St. Louis for processing has a turn around time of about two weeks.

The disclaimer the Postal Service is putting out there is that they want to get a bigger window for the service standard. Right now it is one to two days for first class, and they want to open it up to three or four days. They don't even get the one to two days met most of the time. They have to go through the Postal Regulatory Commission to do this. Any public opinions on the matter have to be in by October 21<sup>st</sup>. This would especially affect the big mailers. They depend on a lot of bulk mailings for revenue.

The Postal Service states the reason for doing the consolidation is because they are not making any money. They claim that 80% of their cost is labor. He explained that last week he worked for 1 ½ hours on one machine to process 1<sup>st</sup> class mail. The amount of money they got paid for the whole night, not just the 1 ½ hours, was \$400. What they made in revenue through that processing was like \$18,000. The next night he was on there for 4.75 hours, and they made \$44,000 dollars just adding up the \$.44 1<sup>st</sup> class mail. They only paid \$400 to the two people that do it. They have several machines that do this. It may be true that 80% of their costs are labor, but it is not in the processing. Wherever they go they will have to run machines. These machines only run about 12 to 14 hours per day. Their intent is to run them 20 to 22 hours per day wherever they consolidate them. This means the machines will break down and it will cost them even more money.

They will also put more machines in to these places to handle the volume of mail they want to do. From his standpoint he knows this is not going to work because he processes the mail everyday.

The Postal Service has also over funded their mandates and pre-funded their retirement. In 2006 there was a Postal Reconstruction Act that forced them to pre-fund \$5.5 billion up front every year. No other corporations were forced to pre-fund at that rate and that amount of money. House Resolution Bill 1351 only asked for the money pre-funded already, that was overpaid, to come back to the Postal Service. PostMaster Donahoe said if he gets that money back it would help make the Postal Service solvent, and they would have nothing for their operation costs. This play they are now doing is a way to hold the gun to Congress's head to say "if you don't give us that money back, or give us six day delivery, then this is what we are going to do". He stated that he can't see; with the increase of transportation costs, how they are going to make money doing this. He thanked the Board and hopes they will listen to him because in March the people this is effecting will be in their ear. It will happen so fast to them that they will not know until they are already a victim of it.

Mr. Montalbano asked what effect this would have if they cut just one day, whether it's a Saturday or a Wednesday. Mr. O'Connell stated that cutting that extra day will effect the letter carriers. What they do now is have five people on routes and a 6<sup>th</sup> guy who covers on their days off. This would put that 6<sup>th</sup> job out, so they would potentially get rid of 1/6 of their letter carrier work force. He does not know how it would affect the processing office. They would probably have more mail sitting there, which would be more mail that is going to be delayed. Mr. Montalbano asked if it this would work rather than losing their jobs. Mr. O'Connell stated that he does not know if they would save money that way. Right now the Postal Service has a monopoly on delivering the mail because no one else can deliver the mail to your house. Sunday is an open day, but it is not profitable for any private industry to go in because they only have the one-day window to do that. His thinking and everyone else's is that it would not be Wednesday, but would be Saturday and Sunday. There are a lot of private industries that could undercut the second and third class mail and tell the big mailers they would deliver the mail cheaper than what the Postal Service does. This could, in fact, backfire on the Postal Service, and they would then be robbing themselves of revenue. He does not know the statistics, but in theory that could happen.

Mr. Krell asked if this would affect homeland security. Mr. O'Connell stated that right now they have in place a register room. Anything of value that goes through the mail goes through this register room. He does not know how all the stuff that is insured and has to be accounted for, would go through there, once they consolidate all these facilities. As far as homeland security, they have a system called a "sniffer", and the only mail that goes through it is cancelled mail. There is mail coming in from bulk mailers that go straight over to the flat sorter area. When you inundate a facility with all that mail they will do a lot of that diversion.

Mr. Hall stated that the important thing here is that they need jobs for this community. He knows people who are employed at this facility, and have family farms that live and grow in this community. They will be able to use all this information and can contact Senators, not only in Illinois, but in other areas. He stated that he believes the Senator we have here in Illinois has a hearing problem because he really does not understand the working man's plight.

He asked who else is influential enough to help Illinois since our man in Illinois is either not influential or doesn't give a darn.

Mr. O'Connell stated unfortunately he has given Senator Durbin all this information, but has yet to give him any of the statistics he has come up with because he is still developing them. The Postal Regulatory Commission is the one who pulls the strings of Patrick Donahoe. If they agree to decrease that service standard, then once that happens, they will move forward with this. He urged the Board to get the people they represent to contact the Postal Regulatory Commission and tell them they don't want their service standard decreased. The one thing they have, by Constitution, is the right to have proper service by the Postal Service. They are not supposed to diminish those standards because of financial woes.

Mr. Schweska asked how many employees would be under-working if they are offered jobs elsewhere. Mr. O'Connell stated that they do have a no lay off clause in their contract. The APW is the only union that signed the contract with the Postal Service. The mail handlers and letter carriers are in negotiations right now, and that is why you will probably not hear them speak. They do not want to have the Postal Service say they are not bargaining in good faith and are trying to undermine them. The supervisory people, who are under a reduction in force category, get a little bit of compensation for moving, but it does not necessarily apply to his group. These people would have to sell their houses and move closer to St. Louis because it just does not make sense to spend \$600 per week in gas.

Mr. Boyster stated that his dad worked for the Postal Service and did have to drive 80 miles per day until he retired last year. He did this for seven to eight years because he was relocated by the Post Office. He stated that he can't tell you the great strain it put on his family. He stated he would be more than happy to send a letter to Senator Durbin and he asked any other County Board member to join him. He agrees that this hurts their economy, and they are only as strong as the jobs they have in their economy. They cannot afford to take an economic hit, and he will do anything he can to help.

Chairman VanMeter asked the staff to prepare some letters for the members to sign in the office. He explained that he and Mayor Houston met with Senator Durbin on this issue over the weekend. He indicated that he and Senator Kirk suggested a study be done of the Springfield Post Office's entire system. They had some hope that this study might demonstrate some of the problems you addressed this evening. Mr. O'Connell stated that he has been in contact with the Springfield Chamber of Commerce who is doing the economic impact study. They are looking at how it would affect the economy in this area if they take 250 jobs away. The indication he got was that they think this area is already somewhat economically depressed. That study should come out in about two weeks. Chairman VanMeter explained that the study Senator Durbin was speaking of is a government required study that requires a review of the Post Office's proposal. The study would consider some of the operational issues you have suggested tonight. He believes there is a 60-day response time in which the study has to be conducted. This review should bring to light some of the critical issues.

Mr. O'Connell stated that sixty days would be good, but they are going to try to do this. In fact, he has a letter to the Inspector General right now about them already instituting their standard without being approved by the Postal Regulatory Commission.

They already have priority mail that is being delayed a day because they have already moved the truck routes. This is how they do it, and he is quite sure they already have their minds made up. They are figuring if they can get it done by the March deadline, everything will be in play and all the mail will be down in St. Louis then they will say “what do you want us to do, un-do it now and cost us a bunch of money to un-do it?”.

Chairman VanMeter stated that he will see if he can get better information regarding this study. He stated that the staff will also get some letters together and contact members to tell them when they are available here in the office. Mr. O’Connell asked that they get the word out to the public because they are going to come to you to find out what is going on with this. This is just a big disservice to this community.

### **MINUTES**

A motion was made by Mr. Montalbano, seconded by Mr. Bunch, for approval of the minutes of September 13, 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. 2011-41 – Steven T. Dunker & Ricky N. McKee, 2925 Peoria Road, Springfield – Granting a Rezoning and Variances. County Board Member – John Fulgenzi, District #17.

Chairman VanMeter asked the professional staff to give the procedural history of the case.

Cyndi Knowles, professional staff, stated that the petitioners are requesting a rezoning from “B-2” retail business district to “B-3” general business district to allow a pet crematory, boarding and grooming facilities, self service pet wash, retail shop for pet supplies and an apartment with a variance to allow five (5) principal uses on one (1) parcel and a variance to allow an apartment on the first floor in the “B-3” general business district.

Molly Berns stated that the staff recommends approval of the requested “B-3” zoning to allow for a pet crematory in conjunction with boarding/grooming facilities, a self service pet wash, a retail pet supply shop and a one-bedroom apartment on the first floor to be limited to use by a staff person while pet crematory is in use, as stated in the petition. The proposed zoning seems appropriate given the commercial nature of the location and the “B-3” zoning immediately adjacent to the south of the subject property.

They recommend approval of the requested variance to allow a dwelling unit on the first floor instead of the required second floor in the "B-3" zoning district and the variance to allow five (5) proposed uses on one (1) parcel. Allowing the proposed uses is seen as similar in nature and there is no foreseen negative effect on the immediate area. Also, it is unclear of the regulations related to the proximity of a pet crematory to a residence, and more information regarding this issue should be addressed. Cyndi Knowles stated that the Zoning Board of Appeals concurs with the staff report and recommends approval of the rezoning and variances, provided that there is no overnight storage/boarding of live pets and that all pets at the location for grooming are kept inside.

Steve Dunker, owner/operator of Tails to Remember Pet Services, stated that they are looking at this piece of property as a positive for revenue generation for the county. It is in a very non-evasive area and is located close to other similar businesses such as the fairgrounds. It is not going to be a high volume business area, and there will not be people coming and going every single minute of the day. It will basically be for dropping off your pet for grooming services, washing your pet or to bring your pet when it dies. They have had a couple people concerned with the apartment being located on the property. They are doing that as a safety feature because they want to be there when the crematory is operating. That is pretty much their business plan. They are looking at a way they can help create jobs and revenue for Sangamon County.

Mr. Montalbano asked what the hours of operation would be. Mr. Dunker stated that they would fluctuate. They are looking at opening at 7:30 in the morning, for those out of town families who could drop their pets off on their way to work. They would close around 10:00 or 11:00 p.m. They do want to maintain a presence there while the business is open, but would also like to go home periodically. It would not be a 24 hour facility. Mr. Montalbano asked if there would be dogs barking outside. Mr. Dunker stated that they will try to keep them as quiet as they can, and they would be contained inside.

Mr. Bunch asked if the incinerator is outside or inside. Mr. Dunker stated it is inside the building.

Mr. Fraase asked how expensive the incinerator is. Mr. Dunker stated it is roughly \$59,000, not including the delivery and installation and the necessary building to contain it. Mr. Fraase asked how many animals they would use this for per month. Mr. Dunker stated that they are hoping to do around 350 to 400 per year during their first year of business. It could vary depending on the weight of each individual animal. Mr. Fraase asked if they are leaning more towards business from the crematory rather than the grooming. Mr. Dunker stated that they all work in conjunction with each other to make the business possible. The crematory won't be used everyday until they get that business base built. It does have a silencer built into it and has to meet the EPA requirements. They hope to use it every single day of the week.

Ricky McKee, 2545 S. 4<sup>th</sup> Street, Springfield, owner, stated that they did a business plan showing income from the grooming and income from the pet wash to show that it does work.

Mr. Schweska asked who is going to initially look at this machine and how often they would need re-certification to meet EPA standards. Mr. Dunker stated that it is usually an annual certification. Matthews Cremation Company, who basically design and build the cremation equipment, coordinates all of the EPA permitting.

Mr. Boyster asked how many people they plan to employ at this facility. Mr. Dunker stated that initially, for the pet crematory, there would be one full-time person. They hope to add four to five part-time staff and hope to increase full-time staff to at least three within a year or two, depending on revenue flow. Mr. Boyster asked if they would be regulated on waste disposal. He asked if the EPA has any standards on excess waste from the crematory. Mr. Dunker stated that they would take cremated remains, from those who did not want their cremated remains, back to his family farm and scatter them.

Mr. Mendenhall asked what the charge would be for a dog to be cremated. Mr. Dunker stated it depends on the weight. For a medium sized dog it would be \$165 to \$180.

Mrs. Musgrave asked if he has been approached by the vet community to work out an agreement with the veterinarians to bring animals there. Mr. Dunker stated that they will be working with different veterinarians in the area and also outside of Sangamon County. He was born and raised in Mason County and has a lot of good contacts there, so they can bring the revenue back here.

Mr. Hall asked what the term “should be addressed” means that was mentioned by the professional staff. Molly Berns explained that when the petition was filed, the petitioners did not put in the petition the regulations related to EPA compliance for the pet crematory. Testimony was received at the Zoning Board of Appeals to clarify that situation to ensure there were appropriate regulatory mechanisms that would still allow the staff’s opinion to be approved.

David Vespa, residing at 2921 N. Peoria Road in Springfield, addressed the Board. He stated that the property at 2925 Peoria Road is appropriately zoned “B-2” at this time, and they wish for it to remain that way. They have two main areas of concern. The first is the very close proximity to the crematory, which can get out of calibration and can create dangerous emissions. His reference to this is Matthews Crematory. There is also the obvious loss of property values to the two residents most affected. His reference to this is Fritz Pfister from Remax, who is mentioning a variable from 10% to 50%. Also, there is potential that these two affected homes may never be able to get sold or rented. They are currently owner owned homes. There are many more appropriate sites in the area, and they are asking the government to do the right thing to protect the home owners.

Dominica Vespa, residing at 2921 N. Peoria Road in Springfield, addressed the Board. She stated that she objects to the crematory being that close to her home. She has been in her home for 65 years, and plans to stay there for the rest of her days. She is visually impaired, and thinks she should have a little bit of consideration. Their property value would go down. There are many places to put a pet crematory rather than in between two homes.

Lisa Curiel, residing at 1090 Taintor Road in Springfield, addressed the Board. Her property is on the north side of where this facility will be built. It is 80 feet from their property line. She and her husband have invested a lot of money in their property. It was pretty run down, and they have done quite a bit of home repair. They would never be able to get the money and time back out of this that they invested. If they were to ever try to sell or rent this, the average person would drive by and see pet crematory and say “I don’t want to live there”. They feel having that facility there would not be a good thing for them as property owners.

There is also property up by Ley Metals on Taintor Road that has gas and water lines already run to it, and it is not even close to any residential area. This would be a good site for them to build, along with other numerous places in Springfield.

Mr. Moore asked the professional staff if they could give a general concept of the trend of development in that area, and how it impacted their final analysis. Mrs. Berns explained that they did look at a number of things, and the opponents are correct that there are several residential properties in that area. However, the zoning of those properties is still commercial. The previous opponents spoke about Ley Metals being across the road. Ley Metals has been before the County Board in the last couple of years. The vacant land they spoke about that is adjacent to Ley Metals has already been platted for a residential subdivision. The staff believes the trend of development, going out that corridor of Peoria Road, is commercial. Mr. Moore asked if Zoning Board of Appeals agrees that this is the trend in the area. He also asked if they go out on site and look at the properties individually. Mrs. Berns stated that they all did make site visits to the best of her knowledge. They also did agree that was the trend.

Mr. Smith asked Mr. Vespa if he could submit, for the record, the references made from Mr. Pfister and the manufacturer of the equipment. Mr. Vespa stated he does not have those with him tonight. Mr. Pfister is out of town at this time, but he will get something on paper from him. Mr. Smith stated that it would make sense to bring something with you in writing this evening. Mr. Smith asked if he had something from the manufacturer of the equipment. Mr. Vespa stated that he does. Mr. Smith asked him to submit that for the record. Mr. Smith asked if their reference had to do with calibration of the equipment. Mr. Vespa stated that Matthews Crematory informed him the units do have an automatic calibration capability. His recommendation to anyone who purchases these units is to get as far away from residential areas as possible. The units have an automatic calibration capability and can get out of calibration. He stated he is in within 40 feet and the neighbor is within 80 feet. There are many other locations available that are much more appropriate. Mr. Smith asked what gets out of calibration on this. Mr. Vespa stated that it is the electronics. Mr. Smith asked what this effects. Mr. Vespa stated that it is in the ventilation and the burning. Mr. Smith asked if it would be emitting things that are not allowed to be emitted if it goes out of calibration. Mr. Vespa stated that it would.

Mr. Dunker gave his rebuttal. He explained that the machines are designed to be automated so that if the mechanics get out of sync, the entire crematory shuts down. They would then have Matthews Crematory come in from Florida to repair it before they could ever cremate again. Those are safety additions put in place to prevent environmental factors.

Mr. Moore asked if there are any other animal or human crematories in Springfield. Mr. Dunker stated that there are. They are located at 5<sup>th</sup> & Carpenter, within 25 feet of a motel, at St. John's Hospital and on South Sixth Street at Kirlin-Egan & Butler Funeral Home. They have a human crematory as well as a pet crematory, and it is located right next to Incredibly Delicious. Also, Springfield Clinic has one.

Mr. Smith asked what the name of this business is. Mr. Dunker stated it is Tails to Remember Pet Service. Nowhere in the name does it say crematory. He stated that, as a funeral director, he tries to keep the approach as soft as he can. Mr. Smith asked if you would see anything that says pet crematory on any exterior signage. Mr. Dunker stated you would not. In fact, like many of the other crematories in the area, you would not even know there is a crematory there. Mr. Smith asked if they have any estimates on the total cost of the building site and improvements to this property. Mr. Dunker stated it is between \$375,000 and \$400,000.

Mr. Hall stated his concern is bringing unhealthy animals there to be cremated. Mr. Dunker stated that most of the animals would be euthanized before they ever come on the premises, and are encased in a protective plastic material when they are brought in.

Mr. Vespa gave his rebuttal. He stated that he is not trying to take anything away from their business plan. Everyone needs to earn a good living. He explained that they are dealing with a 90 year old person with a very weak immune system, a pacemaker and a metal valve. They are asking that you take a look at the homes currently there and give it some strong consideration. He stated he would be willing to work with the petitioners to find a much more suitable location.

Chairman VanMeter stated that the document submitted by Mr. Vespa is the handwritten copy of his notes. This document was submitted for the record at the request of Mr. Smith.

Chairman VanMeter asked the County Clerk to call the roll on the motion to adopt Resolution 1.

Upon the roll call vote, there were 17 Yeas – 8 Nays. Those voting nay were: Mr. Bunch, Mrs. Douglas Williams, Mr. Fraase, Mr. Hall, Mr. Mendenhall, Mr. Preckwinkle, Mr. Schweska, and Mr. Tjelmeland. Mrs. Fulgenzi was not present to vote (she was excused for the duration of the meeting). Mr. Fulgenzi explained that he would like to support Dominica, but he really does not find anything wrong with this petition.

MOTION CARRIED  
RESOLUTION ADOPTED

## **RESOLUTION 2**

2. 2011-42 – Neil Brown, 423 North Stephens, Springfield – Granting a Variance.  
County Board Member – Rose Ruzic, District #19.

A motion was made by Mrs. Ruzic, seconded by Mr. Fulgenzi, 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. 2011-43 – Richard Kaydus, 33 Burtle Ave., Glenarm – Granting a Variance.  
County Board Member – Don Stephens, Jr., District #5.

A motion was made by Mr. Stephens, seconded by Mr. Boyster, to place Resolution 3 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 3.

MOTIONS CARRIED  
RESOLUTION ADOPTED

**RESOLUTION 4**

4. Resolution authorizing the issuance and sale by the County of its Economic Development Revenue Bonds (Sacred Heart-Griffin High School Project).

A motion was made by Mr. Goleman, seconded by Mr. Hall, to place Resolution 4 on the floor. A voice vote was unanimous for the adoption of Resolution 4.

MOTION CARRIED  
RESOLUTION ADOPTED

Chairman VanMeter stated that they are returning to Resolution 1 since he forgot to put the question on the floor. A motion was made by Mr. Fulgenzi, seconded by Mr. Bunch, to place Resolution 1 on the floor. A voice vote carried for the adoption of Resolution 1.

**WAIVER OF TEN-DAY FILING PERIOD**

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

MOTION CARRIED  
TEN-DAY FILING PERIOD WAIVED

**RESOLUTION 5**

5. Resolution approving the decennial reapportionment plan.

A motion was made by Mr. Tjelmeland, seconded by Mr. Stumpf, to place Resolution 5 on the floor. A voice vote was unanimous for the adoption of Resolution 5.

MOTION CARRIED  
RESOLUTION ADOPTED

## OLD BUSINESS

Chairman VanMeter introduced Bruce Cowans with Maximus to give a presentation on the study of the Coroner's department. Following that there will also be a brief presentation from the Coroner.

Mr. Cowans stated that following some highly publicized issues regarding the conduct of death investigations in Sangamon County, his firm came before them in June to discuss undertaking a review of the County's options to manage death investigations. The County Board decided at that time to retain his firm to undertake this study. At that time, he also told them there were a couple of things this study would not be. It would not be a legal or medical investigation of whether appropriate decisions were made under the leadership of the prior Coroner. That would require the input of appropriately specialized physicians or attorneys. They are management consultants to the public sector. They said they would undertake this as a management challenge and address the question of whether it might be possible to restore public confidence in death investigations in Sangamon County, and if so, find what that might involve. This is what he is here to report tonight.

Through the course of the work they had a great deal of contact with Coroner Edwards and her staff, and they appreciate the excellent cooperation they received. He stated that this is not an appraisal of the performance of Coroner Edwards or anyone on her staff. Their intent was to look more broadly to see which system of death investigations works best for Sangamon County. One Coroner may be excellent, but if you feel the next one didn't serve your needs, then the system might not be appropriate. They wanted to address two questions. "Can they restore confidence in death investigations?" If so, "how do you do that?" It is their conclusion that it is possible to restore confidence. You have some choices about how you might do that. They have a recommendation, which they understand that reasonable people will disagree with. They will present to you how they arrived at their recommendation.

They believe that, upon taking office, Coroner Edwards inherited a situation that had serious management deficiencies. During the meeting when the Board decided to undertake this review, he said one of the things they would do is to ask for copies of written policies and procedures that governed the work of the office. When he met with Coroner Edwards she said she did a diligent search, but to her knowledge there are no written policies and procedures for the office. He stated that he was stunned by this. That was the situation at the time; however, there has been a great deal of work to assemble those policies and procedures, which will be an ongoing process. Everybody else that is doing investigations, including the Sheriff and Springfield Police, has written rules for how you do them. There was not a standard method of documenting the findings from investigations. It was not that the investigations were not being documented. They had a concern of whether the way the Coroner at the time was documenting, who they spoke with and how it was written up, would stand up to the scrutiny in a legal case. They think it would be essential to get a standard way of assembling notes on an investigation. They also thought there had to be some quality control. It is nice to rely on experts, but it is also nice to get a second opinion. At the time, the Coroner really did not have anyone they could turn to ask what they thought of their findings. Also, no one was doing a second opinion on the autopsy work done by the pathologist used by the County, so they are also making a recommendation on that.

The Coroner does death investigations within a community of professionals. They learned from speaking to members of the community that communications with the Coroner's office were not regular at that time. Everybody just thought it would be better to iron things out through regular communications, so they are also making a recommendation on that.

There are four options they explored for death investigations. The first would be the status quo, which is to keep the Coroner. The second would be to use a medical examiner. A medical examiner would be a board certified Forensic Pathologist, who is a specialized and certified physician who does autopsies and death investigations. Cook County is one county in Illinois that uses a medical examiner system. They looked at this for DuPage County in 2004 and concluded they were not big enough to justify a medical examiner system. That does not mean, if you look around the country, you would not find smaller counties using a medical examiner system. The third option would be Sheriff managed death investigations. There is one very small county in Illinois that uses this system. It is possible because Sheriff's have training in investigations. The fourth option would be a local area partnership in which they would find other counties to partner with and share some costs. They spoke with SIU School of Medicine in Springfield, who did express some interest for some kind of cooperative arrangement. They also spoke with several surrounding counties to explore their interest.

Their conclusion was that they could not find a partner for Sangamon County for a local area partnership. They spoke to all the other sizable central Illinois counties, and they are not interested in partnering. The Sheriff would prefer not to lead death investigations. They are facing several budget challenges, and if they could find some extra money, this is not where they would want to put it. If the county would put that operation under his supervision, it would be because they feel it is not adequately supervised as it operates right now. The cost would be higher than the status quo. If money was not a factor, the medical examiner system would be a great system. They do find it to be significantly more expensive. They have always hesitated to recommend options they find to be significantly more expensive. It is his opinion that it is not a financially attractive option for Sangamon County to pursue. To have a specialized physician in charge, if all things were equal, would be very appealing.

Mr. Cowans gave their recommendations for what they think Sangamon County should do. They should have written policies and procedures, which are being assembled as they speak. He is sure, as time goes on, they will evolve. It is his opinion that they should not have investigations done without rules on how to do the investigations. You should have a standard method of documenting findings. There is software out there for this that would be a fairly inexpensive solution. They have made a recommendation in favor of that. They believe you should get a sample of second opinions on all autopsies. It would be nice and comforting if physicians doing the work knew their work would be reviewed. It would cost less than \$5,000 per year to get this confidence that autopsies are done reliably and would stand up to legal scrutiny. You should also hold regular meetings with the community of professionals interacting with the Coroner's office. Your question as a board is "how do we make this stick since we are making progress? What is our latitude as an elected official to insist on these things being done? That is a somewhat difficult issue. They have discussed it with the State's Attorney, and they are looking into it. They believe you have at least an influence, if not the power to compel. These things they recommend are common in other Coroner's offices, but simply were not happening for a while in Sangamon County. They spoke with other counties, and they are doing these things.

Mr. Cowans stated they do not find that their recommendations are exotic, but are just good practices on how to do the work. He stated that if he were in their chairs, he would want to know what his latitude is; either through power of persuasion or power of compulsion to make sure Sangamon County gets this continued into the future. It's great if these things are happening now, but how do you know if these things will persist? If these things don't happen, then I would not have confidence in the death investigations and would want to change the system. One question you have to ask is "how likely is it that the situation that led to this will re-occur?" Do you see other counties having this problem?" He stated that he has not seen the difficulties, such as you faced, elsewhere. Based on that, he concluded that it is not very likely it would re-occur. How much you should spend to address this depends on how likely it is that you think it would happen again, and what you would be willing to spend as insurance against that.

The Coroner's office system costs about \$570,000 per year for all costs, including the outsourcing of autopsies to the appropriate physicians. The medical examiner system costs about \$884,000 to \$885,000 per year. This is about \$314,000 more than the status quo. The medical examiner makes more money than the Coroner because they are doctors. He believes if you hire a doctor you would need to give them a facility in which to do the work of the office. You do not have an autopsy facility. The physicians you hire are using local hospitals, and when they can't get access to St. John's or Memorial they sometimes have to be done in Bloomington, McLean County. He thinks they should have guaranteed access, without delay, to a facility in which to do the work. They may be able to arrange a lease with St. John's or Memorial. He does not have confidence that leases are cheaper than purchases. You would save on the costs of outsourced autopsies, except under certain circumstances when the medical examiner is on vacation and you would have to hire someone to take over. That would be minimal and does not change their findings.

They find that the Sheriff managed investigations would be about \$717,000, which is \$147,000 per year more than the status quo, but is less than the medical examiner option. The reason for this is that you would have to take the cost of the Coroner's office and add the salary of the lieutenant or captain to oversee the investigations. You are not going to pay the person overseeing it less than the senior person in the Coroner's office, so it just costs more than the status quo. Plus, the Sheriff doesn't really want to do this, and they would hesitate to recommend an option when the person you are giving it to doesn't really want to do it.

Mr. Cowans stated that he made a lot of calls and could not find a partner for the local partnership option. SIU School of Medicine is happy to team with you, but said they could not offer much because they get their money from the State of Illinois. They could not offer more than \$10,000 per year. This would not be a very meaningful financial contribution for what you need.

Mr. Cowans concluded that if it is approximately more than \$370,000 more per year for the medical examiner system, the impact would be quite expensive. He reached that conclusion as his belief that the situation you faced was unusually dire and unprecedented. Not expecting lightning to strike twice, he feels less warmed to the medical examiner system. If you feel there is a reasonable chance of that re-occurring then you may feel differently about spending the extra money. He stated that he would respect their opinion, but would not share that feeling. Mr. Cowans concluded his presentation and offered the option for members to ask questions.

Mr. Montalbano stated that this is probably one of the oldest counties that have a Coroner. He asked if he feels the record keeping would improve and policies would be put in place after discussions with the new Coroner. Mr. Cowans stated that he feels it is happening, and she has already assembled some policies. Mr. Montalbano stated that there is already a vast improvement. Mr. Cowans stated that they are certainly on the right track. The issue here was not to address whether Coroner Edwards was doing this right, but whether the system is the right system for Sangamon County. He is happy with what he sees, but does not feel that is the question he was asked to answer.

Mr. O'Neill asked Mr. Cowans if his company would consider coming back once Coroner Edwards has a chance to develop written policies and procedures to ensure they meet state or federal laws. He stated he thinks this Board came to the conclusion they were not meeting state or federal laws based on what the previous Coroner was doing. Mr. Cowans explained that the state legislates with a very light hand. They hate to put requirements on that because it would be too onerous for little counties to meet. State law says you can have a Coroner, and if you wish to get rid of the Coroner system you have to do it by referendum. There are certain minimum training requirements, but there are not really policy and procedures at the state level for how to do this. However, there is a standard, which is to win your legal cases and the trust of the public. He thinks everybody agrees there were some troubling signs which led to the study being done and the trust of the public was not there.

Mr. Moore stated that he noticed in the report there seems to be a downward trend in the use of inquests. He asked if they found that the previous Coroner used inquests excessively. He asked how the use of inquests in Sangamon County compared to use in other counties. Mr. Cowans stated that it was light in all cases. He thinks it seems like an industry trend that there are fewer and fewer. If he were a Coroner he would like the option to use it, but probably would not use it very often. Mr. Moore asked if they looked at the procedures of the Coroner's office in conducting the inquests in terms of witnesses and taking testimonies. Mr. Cowans stated that they did, and do not have a finding that it is being done inappropriately. Their research shows it is just not here, but worldwide that there are fewer inquests than there used to be. It is nice to have the tool even if you don't use it a lot.

Mr. Mendenhall commended Mr. Cowans on the excellent work they did. He stated that they have the current annual cost for the Coroner in their budget, and he does not feel prepared to discuss any other option over and above that, short of a winning lottery ticket or having a generous benefactor. He thinks it is nice to see there have been some improvements and continue to be some made in the Coroner's office. It looks to him like that's the direction Sangamon County should go.

Mr. Fulgenzi stated he noticed in the report that one of the counties mentioned they had looked for a medical examiner and still had not found one in over a year. There is really no guarantee if they decided to spend the \$300,000, which they don't have, that they could get somebody anyway. Mr. Cowans stated that is correct. Research shows that about 30% of the demand for forensic pathologists is unmet. There are simply not enough of them to be in all places. That doesn't mean you can't get one, it means you may or not be able to get one. There is certainly a short supply of forensic pathologists.

Mr. Fulgenzi stated that Mrs. Edwards is developing the policies they have needed for a long time. It is a good sign, and they are on the right track.

Mr. Goleman asked Mr. Cowans about the number of hours they put in and the amount of cooperation they received. Mr. Cowans stated that they put a few hundred hours in on this one. They came in town on the 4<sup>th</sup> of July, started interviews the morning of July 5<sup>th</sup>, and finished this past week. He feels this was adequate time, and he did not feel rushed. They have received excellent cooperation. There were only two loose ends, but they are not from lack of cooperation. They wanted to ask St. John's Hospital whether it was of any interest for them to have a medical examiner on their payroll. He has left a couple messages and did not receive a call back. He asked Memorial Hospital and they said no they would not. Also, he called Peoria County to ask if they would like to be in a partnership, and they never called back. He does know they have a lot of their work done in McLean County. McLean County said you could send their cases there. He asked them what it would cost, and they said they could talk to you about it. The down side of that is that they are not right next door. Transporting something that needs refrigeration would be somewhat problematic.

Mr. Ratts asked how much more it would cost than before with quality control. Mr. Cowans stated that it would be about \$4,000 per year.

Mr. Hall asked Brian McFadden, County Administrator, if there is any way they could check with all department managers to make sure they do have policies and procedures in place for all departments. Mr. McFadden stated he would ask that question to all the department heads tomorrow at the department head meeting and will get a report back to the County Board. Mr. Cowans stated he could speak for some of the departments. He has had a chance to review many of the offices in the County and has not found a lack of policies and procedures. He knows the Sheriff's office has policies and procedures. He knows the Recorder's office uses software which uses a script you have to follow or you can't record the document, so there is a good paper trail there. He has found this to be an anomaly, and after speaking with other coroners, they have said they do have policies and procedures.

Chairman VanMeter asked if their firm would be able to come back some time in the future to review these policies and procedures. Mr. Cowans stated that he does not feel they would be a good choice for that. He feels that is a medical and legal question he would prefer they take to the State's Attorney and Sheriff. He is confident they could also get cooperation from some other Coroner's office. The Cook County Medical Examiner's office has policies and procedures. He spoke with the chief medical examiner there at some length. She is very pleased with her procedures and would be happy to speak with anyone that would like to speak with her. Mr. Cowans clarified that his firm is management consultants and are not doctors or lawyers.

Chairman VanMeter asked if they found any small counties using medical examiners. Mr. Cowans stated that they did in Texas. In some states the term medial examiner gets used to mean someone who is not a medical professional. It's a Coroner without any requirements for a medical background. In your case, you have a Coroner with a medical background. He takes it to mean a board certified forensic pathologist who has had the extra specialized training and has passed the tests with the examining body. That is who you want doing your autopsies.

Chairman VanMeter asked about the structural differences in the choices they made in terms of accountability to the public. Mr. Cowans explained that the Coroner is an elected official and the medical examiner is an at-will appointed employee. The Coroner's is an independent elected official who can say "sorry I'm not going to do it". The medical examiner is in the position of being at the pleasure of the County Board. If the County Board loses confidence in or has conflict with the medical examiner, they could dismiss them. He feels, in terms of independence, it should be part of the credibility of the opinions of the office. The status quo should provide for that. This goes to the question of whether the Coroner is doing the job according to the standards that most coroners use. That doesn't mean medical examiners always operate in ways that everybody trusts and believes.

Chairman VanMeter asked what recourse the public would have if they are dissatisfied with the conduct of the Coroner's office. Mr. Cowans stated they would have to vote the Coroner out. Chairman VanMeter asked what recourse the public would have if they are dissatisfied with the performance of the medical examiner. Mr. Cowans stated they would ask the County Board to agree to dismiss the medical examiner.

Coroner Cinda Edwards addressed the Board. She stated that she was very fresh to the job when Mr. Cowans and his group came in. She thanked them for doing a really comprehensive report on her office. She enjoyed working with Mr. Cowans and feels he did a very thorough job. She stated she has read the report and agrees with their suggestions for quality assurance. She looks forward to implementation of those suggestions. She stated she has already implemented some of them. The public confidence in her office means everything. Their objective is to give Sangamon County families' security and knowledge that their office does its due diligence and everything in their power to make sure there is an accurate cause and manner of death. That is so important for the grieving families towards their loved one. This report has given them additional tools to achieve the objective and hopefully ensure that any future Coroner would do so as well. Her current staff is working very hard and attending more scenes than ever before. They are also going to the emergency rooms and that was not previously done. They are gathering more information than was previously gathered. They are using a web based program called CoronerME. They have investigative worksheets and tools and are willing to try taking the office forward. The inquests are a downward trend. She believes, in most cases, sitting down with Deputy Coroners and looking over all evidence gathered and conferring with forensic pathologists that they can come up with an accurate cause and manner of death. If they feel they can't agree on one, then an inquest would be in order. She stated that her office is committed to working with the County Board to share all of their procedures and policies in the future. They are an open book and have nothing to hide. They want to do the best job they can for Sangamon County and look forward to working with everyone. She thanked the Board.

Chairman VanMeter asked if she would have any objection to retaining an alternative outside expert to review their progress on any of the procedures Mr. Cowan recommended in his study. Mrs. Edwards stated that she traveled to other counties and spent a lot of time in Champaign and Mclean Counties to take a look at their policies and procedures. That is where she learned of the computer program. All of this was prior to ever stepping into her office and seeing what was in place there. Anything that can make the office better is just great with her. Chairman VanMeter stated that this is something they may want to discuss amongst themselves. He pointed out that the Coroner's office does report to the Jail Committee.

Mrs. Edwards stated that there has been somewhat of a mystique about what the Coroner's office does, and she thinks the more the County Board and everyone knows the better. Some things, such as the death certificates, are regimented through the State of Illinois. They do a lot of work with death certificates, but the death investigation part and what they actually do there is somewhat mysterious to people.

## **NEW BUSINESS**

### A. Resolutions

There were no new resolutions.

### B. Appointments

Appointment of Sharon Beler to the Community Services Block Grant Advisory Board for a term expiring September, 2014.

Appointment of Wes Barr to the Community Services Block Grant Advisory Board for a term expiring September, 2014.

Appointment of Michael Roate to the Pawnee Fire Protection District for a term expiring May, 2013.

Appointment of Angela M. Marr to the Woodwreath Cemetery Board for a term expiring November, 2013.

Appointment of Lori Williams to the Lower Sangamon River Resource & Conservation Development Board for a term expiring October, 2013

A motion was made by Mr. Montalbano, seconded by Mr. Bunch, for approval of the appointments. A voice vote was unanimous.

## **MOTION CARRIED**

## **APPOINTMENTS ADOPTED**

### C. Drawing for terms of office for County Board Members.

County Clerk Joe Aiello conducted the decennial ceremony. Mr. Aiello stated that everyone should have a copy of the guidelines and a score sheet to follow along. They are going to draw in order of County Board Districts 1 – 29. Every ten years they have to draw terms. There will be 15 terms of 4 years, 4 years, 2 years, and 14 terms of 2 years, 4 years, 4 years. Charlie Stratton will do the drawing from the hat.

The terms drawn were as follows:

<b>County Board District</b>	<b>Term Drawn</b>
County Board District 1	4, 4, 2
County Board District 2	2, 4, 4
County Board District 3	2, 4, 4
County Board District 4	4, 4, 2
County Board District 5	2, 4, 4
County Board District 6	2, 4, 4
County Board District 7	4, 4, 2
County Board District 8	2, 4, 4
County Board District 9	2, 4, 4
County Board District 10	4, 4, 2
County Board District 11	4, 4, 2
County Board District 12	4, 4, 2
County Board District 13	4, 4, 2
County Board District 14	4, 4, 2
County Board District 15	2, 4, 4
County Board District 16	2, 4, 4
County Board District 17	4, 4, 2
County Board District 18	4, 4, 2
County Board District 19	4, 4, 2
County Board District 20	2, 4, 4
County Board District 21	2, 4, 4
County Board District 22	2, 4, 4
County Board District 23	4, 4, 2
County Board District 24	2, 4, 4
County Board District 25	4, 4, 2
County Board District 26	4, 4, 2
County Board District 27	2, 4, 4
County Board District 28	4, 4, 2
County Board District 29	2, 4, 4

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

The Committee Reports were put on file with the County Clerk.

**RECESS**

A motion was made by Mr. Montalbano, seconded by Mr. Bunch, to recess the meeting to November 8, 2011 at 7:00 p.m. A voice vote was unanimous.

**MOTION CARRIED  
MEETING RECESSED**