

MINUTES

SANGAMON COUNTY BOARD

JULY 11, 2006

The Sangamon County Board met in Reconvened Adjourned June Session on July 11, 2006 in the Grand Ballroom of the President Abraham Lincoln Hotel in Springfield. Chairman VanMeter called the meeting to order at 7:00 p.m. Mr. Bunch gave the Invocation and Mr. Pace led the Board in the Pledge of Allegiance.

ROLL CALL

Chairman VanMeter asked the Clerk to call the roll. There were 27 Present – 2 Absent. Mr. Moore and Mr. Vaughn were excused.

PROCLAMATIONS

Ms. Cimarossa presented a Proclamation to Juvenile and Adult Probation and Court Services professionals in recognition of their achievements in the community. Mike Torchia, Leslie Wilson, Terry Moore, Tamara Robinson and DeAnn Nix were all present to accept the Proclamation.

Mr. Fulgenzi presented a Proclamation in recognition of Andre Iguodala, who was the ninth overall pick in the 2004 NBA draft for the Philadelphia 76ers, for his generosity and commitment to the people of Sangamon County. Leonard and Linda Shanklin, parents of Andre, were present to accept the Proclamation on his behalf. They thanked the Board and assured everyone that Andre has a lot more to offer Springfield.

Mrs. Long presented a Proclamation in honor of Joe Bonafeste for his 55 years of service and dedication and loyalty to the citizens of Sangamon County. She also asked for a moment of silence in remembrance of Mr. Bonafeste who recently passed away. The Proclamation was accepted by his children, Joe Bonafeste, Jr., Jimmy Bonafeste, Anthony Bonafeste, and Adam Bonafeste. They thanked the Board and expressed their gratitude.

APPROVAL OF MINUTES

A motion was made by Mrs. Turner, seconded by Mrs. Long, for approval of the Minutes of June 13, 2006. A voice vote was unanimous.

MOTION CARRIED
MINUTES ADOPTED

CORRESPONDENCE

- A. Illinois Department of Transportation Motor Fuel Tax Allotment and Transactions for May, 2006.

A motion was made by Mrs. Long, seconded by Mrs. Turner, to place the Correspondence on file with the County Clerk. A voice vote was unanimous.

MOTION CARRIED
CORRESPONDENCE FILED

RESOLUTION 1

1. Resolution approving the Federal Aid Agreement for Cardinal Hill Road construction.

A motion was made by Mr. Montalbano, seconded by Mr. Fraase, for the adoption of Resolution 1. Chairman VanMeter asked the Clerk to call the roll. There were 26 Yeas – 0 Nays.

MOTION CARRIED
RESOLUTION ADOPTED

RESOLUTIONS 2 – 7

2. Resolution awarding a contract for a box culvert project in Talkington Township.

A motion was made by Mr. O'Neill, seconded by Mr. Tjelmeland, for the adoption of Resolution 2. A motion was made by Mr. Bunch, seconded by Mr. Pace, to consolidate Resolutions 2- 7. Chairman VanMeter asked the Clerk to read Resolutions 2 – 7.

3. Resolution awarding a contract for a bridge replacement project in Talkington Township.
4. Resolution awarding a contract for a bridge replacement project in Lanesville Township.

5. Resolution appropriating additional Motor Fuel Tax funds for engineering and right-of-way on the Mechanicsburg Road project.
6. Resolution for the establishment of an altered speed zone on New City Road (County Highway 40) from the Chatham Road intersection to the Interstate 55 overhead.
7. Resolution approving and appropriating additional Motor Fuel Tax funds for supplemental engineering services on East Lake Shore Drive.

A voice vote was unanimous on the motion to consolidate. A motion was made by Mr. Goleman, seconded by Ms. VanHoos, that the roll call vote for Resolution 1 stand as the roll call vote for Resolutions 2 – 7, as consolidated. A voice vote was unanimous.

MOTIONS CARRIED
RESOLUTIONS ADOPTED

RESOLUTION 8

8. 2006-27 – Kantilal Chintamani Bhai, 304 N. Dirksen Pkwy., Springfield – Granting a Variance. County Board Member – Sarah Musgrave, District #9.

A motion was made by Mrs. Musgrave, seconded by Mrs. Scaife, for the adoption of Resolution 8. A motion was made by Mr. Goleman to waive the reading of the professional staff's report. There were no objections. A voice vote was unanimous on the motion to adopt Resolution 8.

MOTIONS CARRIED
RESOLUTION ADOPTED

RESOLUTION 9

9. 2006-29 – Sandra S. Bradley, 128 North Milton, Springfield – Granting a Rezoning. County Board Member – Sarah Musgrave, District #9.

A motion was made by Mrs. Musgrave, seconded by Mr. O'Neill, for the adoption of Resolution 9. A motion was made by Mr. Goleman to waive the reading of the professional staff's report. There were no objections. A voice vote was unanimous on the motion to adopt Resolution 9.

MOTIONS CARRIED
RESOLUTION ADOPTED

RESOLUTION 10

10. 2006-30 – Parsons Limited Partnership, 8775 Burrus Road, Williamsville-Granting Variances. County Board Member – Dave Mendenahall, District #3.

A motion was made by Mr. Mendenahall, seconded by Mr. Moss, for the adoption of Resolution 10. A motion was made by Mr. Goleman to waive the reading of the professional staff's report. There were no objections. A voice vote was unanimous on the motion to adopt Resolution 10.

MOTIONS CARRIED
RESOLUTION ADOPTED

RESOLUTION 11

11. 2006-31 – Lyman M. Henderson, D.B.A. AOA Springfield, 1103 W. Calhoun, Springfield – Denying a Use Variance. County Board Member- Dick Bond, District #11.

A motion was made by Mr. Bond, seconded by Ms. Cimarossa, for the adoption of Resolution 11. Chairman VanMeter asked the professional staff to give the procedural history of the case.

Susan Poludniak, professional staff, stated that the petitioner is requesting a Use Variance for a private club in a residential district. Randy Armstrong, professional staff, stated that the property is located one block west of MacArthur and the petitioners have a contract to purchase the church building and want to convert it into a private club. Ms. Poludniak stated that a private club in a residential neighborhood would not be a suitable environment for activities associated with a residential setting and the staff recommends denial. Mr. Armstrong stated that the Zoning Board of Appeals concurs with the staff report and recommends denial.

Gordon Gates, Attorney at 1231 S. 8th in Springfield, addressed the Board. He stated that he is representing the petitioner. This is a group of individuals who are looking to put their social club in a church that has been empty for many years. It would be perfect for their uses. This situation is unique because most of the neighbors have signed petitions in favor of this. The resistance is due to the fact that this is a motorcycle club. People immediately think motorcycle gang when they hear this. This would not be a motorcycle gang. It would just be a group of seven individuals who have a social club and will use the property two to three times a week. There will be meetings on Tuesday evenings for seven members only. Friday and Saturday nights will be social time for the members, their spouses, and one other couple. It's a very limited social gathering. They are just trying to get away from the bar scene and enjoy their unique interest together.

Mr. Montalbano asked how often they have moved from place to place. Mr. Henderson, petitioner, explained that this would be their second place. There was one on 11th and South Grand and on 15th and South Grand. They were sold and ownership was consolidated. Mr. Montalbano asked if all the residents in the area signed the petition. Mr. Henderson stated that most of them did. There is a day care to the east that is not in favor. They originally signed the petition in favor of this, but later had some resistance from their customers. The residents on the other side were for this.

Mrs. Scaife asked if there would be any outside events. Mr. Henderson stated there would not be. There is an already an outdoor site for rally's on the edge of town.

Carla Carmine, residing at 1101 W. Calhoun in Springfield, addressed the Board. She stated that she owns a day care center and the parents are threatening to remove their children if there is a motorcycle gang next door. She explained that she did sign the petition in the beginning, but later resisted when the parents started complaining about it. She clarified that this location was a church in the past year and has not been vacant for years.

Jennifer Rhodes, residing at 1105 W. Calhoun in Springfield, addressed the Board. She explained that she has two small children and does not feel the motorcycle riders should be in a residential neighborhood. She stated that when the motorcycles are starting up at 1:30 in the morning her children would be awakened.

Mr. Cahnman asked what the hours of operation of the day care are. Ms. Carmine stated that her hours are 6:30 a.m. to 5:30 p.m. Mr. Cahnman asked if the social club would be operating on different hours than her business. Ms. Carmine explained that the parents started to notice they were in there throughout the day when the children were there. They made changes to the church like painting the windows black. Mr. Cahnman asked if her day care operates on the weekend and ends at 5:30 p.m. on weekdays. Ms. Carmine stated that it does not operate on weekends and ends at 5:30 p.m. on weekdays.

Mr. Bond asked if the petitioner didn't realize they needed a variance or rezoning when they were in there temporarily since it was a church. Randy Armstrong explained that Mr. Skaggs indicated he didn't think he needed a variance, but had inquired about making it into a duplex.

Ms. Cimarossa asked what would be the difference if someone actually moved into this place and had parties. Randy Armstrong, professional staff, explained that if it's an organized private club it shows up as a permitted use in the B-1 district and requires rezoning, which they attempted, but are now trying for a use variance.

Mrs. Turner asked Ms. Carmine if she is only opposed to this because of the parent's opposition. Ms. Carmine stated that she does not want to lose her business. She explained that she did sign the petition in favor of this in the beginning, but the parents started complaining and threatening to withdraw their children.

Mr. Griffith stated that it looks like the majority of the people in the area do not have a problem with this. He asked Ms. Carmine if she would be against this if she didn't have a day care. Ms. Carmine explained that she personally would not want to live next door to a motorcycle gang and does not know what it would do to property value. Mr. Griffith stated that he heard they have made a lot of improvements to the property.

Mr. Stumpf stated that he does not have a copy of the petition in his packet. Mr. Armstrong explained that they did submit a petition last month with all of the mentioned adjacent property owner signatures.

Mr. Moss asked if the names on the petition were for property directly adjacent to the petitioners. Mr. Armstrong stated they were primarily in that neighborhood, but there are other areas too.

Mr. Buecker asked if there could be 28 motorcycles there at one time. Mr. Gates stated that there could.

Mr. Gates stated he has a problem with this being called a motorcycle gang. This is not a motorcycle gang anymore than her kids are a gang of day care kids. It is a social club with seven individuals who happen to ride motorcycles. Gang implies criminal activity and there is none. These people have done a lot of good for the community. Someone moving in next door with a motorcycle would create no more noise than would this club. Motorcycles are perfectly legal vehicles and are entitled to be on the streets at 2:00 a.m. in the morning. They will not be there when the children are there during the day.

Chairman VanMeter asked for a roll call vote on the motion to adopt Resolution 11. Upon the roll call vote, there were 18 Yeas – 8 Nays. Resolution 11 written “to deny a use variance” was adopted and the use variance was denied. Those voting nay were: Mr. Bond, Mr. Cahnman, Mr. Goleman, Mr. Griffin, Mr. Stumpf, Mrs. Turner, Ms. VanHoos, and Mr. Wieland. Mr. Bunch explained that he does not think these people are a gang, but this is not a place for a motorcycle club because of the day care.

**MOTION CARRIED
RESOLUTION ADOPTED**

RESOLUTION 12

12. 2006-33 – Melissa D. Vorreyer, 6600 to 7700 blocks of Johnson Road and the 7800 to 8000 blocks of Breckenridge Road, Rochester – Granting a Variance. County Board Member – Andy Goleman, District #4.

A motion was made by Mr. Goleman, seconded by Mrs. Musgrave, for the adoption of Resolution 12. A motion was made by Mr. Goleman to waive the reading of the professional staff's report. There were no objections. A voice vote was unanimous on the motion to adopt Resolution 12.

MOTIONS CARRIED
RESOLUTION ADOPTED

RESOLUTION 13

13. 2006-34 – Ronald A. Romanotto, 10857 Buckhart Road, Rochester – Granting a Variance. County Board Member – Dave Mendenhall, District #3.

A motion was made by Mr. Mendenhall, seconded by Mr. Snell, for the adoption of Resolution 13. A motion was made by Mr. Goleman to waive the reading of the professional staff's report. There were no objections. A voice vote was unanimous on the motion to adopt Resolution 13.

MOTIONS CARRIED
RESOLUTION ADOPTED

RESOLUTIONS 14 – 16

14. Resolution approving the purchase of radio tower equipment by the Sheriff's Office.

A motion was made by Mr. Buecker, seconded by Mr. Stephens, for the adoption of Resolution 14. A motion was made by Mr. Bunch, seconded by Mr. Pace, to consolidate Resolutions 14 – 16. Chairman VanMeter asked the Clerk to read Resolutions 15 and 16.

15. Resolution approving an Intergovernmental Agreement between Sangamon County and the Springfield Mass Transit District.
16. Resolution setting forth budget policies for the preparation of the FY 2007 County Budget.

A voice vote carried on the consolidation. Mr. Cahnman voted nay. A motion was made by Mr. Goleman, seconded by Mrs. Long, that the roll call vote for Resolution 1 stand as the roll call vote for Resolutions 14 – 16, as consolidated. A voice vote was unanimous.

MOTIONS CARRIED
RESOLUTIONS ADOPTED

WAIVER OF TEN-DAY FILING PERIOD

A motion was made by Mrs. Turner, seconded by Mrs. Long, to waive the ten-day filing period. A voice vote was unanimous.

MOTION CARRIED
TEN-DAY FILING PERIOD WAIVED

RESOLUTIONS 17 – 19

17. Resolution approving a contract between Community Resources and the Springfield Urban League.

A motion was made by Mrs. Scaife, seconded by Mr. Hall, for the adoption of Resolution 17. A motion was made by Mr. Bunch, seconded by Mr. Pace, to consolidate Resolutions 17 – 19. Chairman VanMeter asked the Clerk to read Resolutions 18 – 19.

18. Resolution approving a contract between Community Resources and the Springfield Community Federation.
19. Resolution approving a contract between Community Resources and the Capital Area Career Center.

A voice vote was unanimous on the consolidation. A motion was made by Mr. Goleman, seconded by Mrs. Turner, that the roll call vote for Resolution 1 stand as the roll call vote for Resolutions 17 – 19, as consolidated. A voice vote was unanimous.

MOTIONS CARRIED
RESOLUTIONS ADOPTED

RESOLUTION 20

20. 2006-36 – Jay Johnson, 12500 State Highway 104, Waverly – Granting a Rezoning. County Board Member – Craig Hall, District #7.

A motion was made by Mr. Hall, seconded by Mr. Goleman, for the adoption of Resolution 20. A motion was made by Mrs. Long, seconded by Mrs. Turner, that the Board resolve itself into a Committee of the whole to consider pending Resolution 20 and that Andy VanMeter be appointed Chairman of the Committee and the proponents and opponents will be allowed thirty minutes to speak with no person speaking more than three minutes.

Chairman VanMeter explained that the Board has organized itself as a committee for the purpose of extending the time for testimony because of the number of people wishing to speak.

Chairman VanMeter explained that the Board has considered this matter more quickly than they would have ordinarily considered a zoning matter, but with no less deliberation or care on the part of the professional staff or the board members. The purpose of this was to preserve the opportunity for this development to go forward or they may have missed the opportunity completely. He asked the professional staff to give the procedural history of the case.

Susan Poludniak, professional staff, stated that the petitioner is requesting a rezoning from A to I-2. Randy Armstrong, professional staff, stated that the property is six and one-half miles west of Auburn and one mile south of State Route 104. Mr. Johnson operates a grain elevator and railroad shuttle on the property and wants to construct an ethanol plant. Ms. Poludniak stated that the LESA score for this property is 201, indicating that it should remain in agricultural use. The issue is the I-2 zoning, not specifically the ethanol plant. I-2 zoning is not appropriate without public sewer and with only limited public water available. The provision of fire protection and emergency services is also a concern. With the provision of additional information, it would appear that a use variance would be the appropriate zoning relief for the proposed ethanol plant, therefore; the staff recommends denial of the rezoning. Mr. Armstrong stated that the Zoning Board of Appeals recommends approval. The Board felt the location is suitable for the proposed plant due to the adjacent rail and grain facilities and the rural character of the area. They also felt the neighbor's concerns were addressed by the petitioner's witnesses and from the testimony of persons who visited a similar facility.

Jay Johnson, petitioner, residing at 2404 Rosewell Pt. in Springfield, addressed the Board. He stated that his father, Bob Johnson, would address the Board on this petition.

Bob Johnson, residing at 15379 Jasmine Rd., addressed the Board. He stated that he is the Chairman of the Board of Johnson Grain, LLC, and their plan is to produce ethanol on their property in rural Sangamon County. There is 100 acres between Auburn and Waverly off Route 104 that would need to be rezoned. He explained that just a few years ago they came before the Board to rezone some of the same property for agricultural to a conditional permitted use to build a grain facility. They had the opportunity then to partner with the Burlington Santa Fe Railroad to open new markets and new sources of revenue for the regions farmers. Approval of that petition resulted in sales just last year of more than 25,000,000 bushels of corn produced in Sangamon and surrounding counties. Those sales were valued at approximately \$65,000,000. Approval of this petition will once again add significant value to the areas agricultural economy and new dollars to the wallets of farmers and those who serve them. He stated that they are respectfully asking the Board to reclassify 93 acres inside the loop track and the adjoining seven acres just outside the loop track. The smaller seven acre track will house an administration building and a parking lot. The Zoning Board of Appeals voted 4-1 to recommend approval of the request. Several of the neighbors have voiced concerns about the proposal and he stated that they are sensitive to those concerns.

He explained that they have agreed to limit the use of the I-2 designation to ethanol use only and to return the property to agricultural classification if they have not begun construction of ethanol facilities within two years of any final approval. Other concerns about water and air pollution will also be addressed. Mr. Johnson expressed how thankful they are to hear the neighbors say they are good neighbors and they do intend to continue to be good neighbors. He stated that they feel the proposed use is compatible with the zoning, and will greatly enhance opportunity for agricultural interest in this county and other surrounding counties.

Mr. Moss asked if this proposal mentions a dry production facility. Reg Ankrom, Manager of the investment group, addressed the Board. He stated that he is the Manager of Project Development for Waverly Ethanol, LLC and resides at 1476 Hampshire in Quincy. He explained that this will be a dry mill process, which is different than a wet mill process that uses a sulfur-based solution to weaken the corn kernel before it is milled, and there will be no smell associated with the milling.

John Meyers, opponent, residing at 1300 S. 8th St. in Springfield, addressed the Board. He stated that he is the attorney representing neighbors in the area. He suggested that the Board not rush this thing along. The only issue is zoning. This is a land use decision the Board needs to make. You cannot listen to speculation about jobs and property tax when the question is regarding land use. The Regional Planning Commission has said don't do this because it violates the counties own ordinance. This proposal also flunks the LESA test. He clarified that he is not opposed to ethanol, but this project flunks the counties own ordinance and should be rejected. Other projects have been denied because they flunked the test. Other things they should look at are the current land use. The proponents are already violating the zoning ordinance because they are running a fertilizer operation that is not permitted by the conditional permitted use. This project is going to use 71,400,000 bushels of corn per year at 1,000 bushels per semi-trailer. That would be 71,400 semi-trailer loads or 142,800 in and out trips per year going up and down Route 4 between the interstate and this facility. He asked what this would do for the quality of life for those who live in the area. The Regional Planning Commission has said the nearest industrial use is 1 ½ miles away and the surrounding property is all residential and agricultural along with this conditional permitted use for the grain silo and rail yard. This would be spot zoning with 100 to 400 acres of heavy industrial. This should be denied or at least tabled and sent back to Regional Planning for an analysis of what it means to go from a 400 acre proposal to a 200 acre proposal to a 100 acre proposal.

Mr. Snell clarified that the fertilizer operation is part of the normal operation of a grain elevator and is permitted under the counties guidelines. Mr. Armstrong explained that fertilizer sales have always been considered an accessory used to any grain elevator in Sangamon County. If it was a stand alone fertilizer business it would require the conditional permitted use, but if it is an accessory to the grain elevator then it does not.

Mr. Meyers disagreed with Mr. Armstrong's comments and referred to the county's ordinance which says fertilizer sales is a conditional permitted use in an agricultural district. Mr. Snell stated that he thinks Mr. Meyer's is referring to a stand alone fertilizer plant.

Mr. Goleman stated that Mr. Meyer's referred to the Land Evaluation and Site Assessment and he clarified that the County has approved some cases in the past where the LESA score has been over 180.

Mr. Meyers quoted the ordinance which says the Sangamon County Board shall utilize the Land Evaluation and Site Assessment System. He stated that he is asking the Board to utilize the able and capable staff and deny this.

Brad Warren, proponent & Executive Vice-President of the Greater Springfield Chamber of Commerce & Director of the Economic Development Council, addressed the Board. He stated that his business address is at 3 South Old Capital Plaza and his residence is at 2449 Idlewild Drive in Springfield. He expressed that he is grateful to be associated with this project from an economic development perspective, from a competitive advantage perspective, and from a dialogue perspective. There has not been a project like this in Sangamon County in at least two or three decades. The 50 jobs created will generate and create 98 new jobs for the area, \$51,000,000 in economic activity, \$11,000,000 in just new wealth for the area, and \$900,000 in new state and local taxes. He stated that they can speculate about whether or not this might happen, but from his experience in economic development, one thing cannot be speculated upon and that is economies do not grow unless there is a deliberate effort to change their direction. In Sangamon County the economy has been flat, and this is something that is needed. If they don't make this project happen, then it will go to a community that can.

Mr. Cahnman asked what assurance they have as to how many construction jobs there will be. Mr. Warren explained that all they have is the developer's word and their demonstrations in other communities about how other projects have developed. He stated that projects like this do not come along twice and he trusts Mr. Ankrom. They are acting on facts they have presented and if they don't develop the way he has proposed they will go talk to him as a community. This is not a game of second chances and they are acting on the facts they know.

Mr. Ankrom explained that they expect there to be 200 to 250 construction jobs over the 12 to 14 months it will take to build this plant. Mr. Cahnman asked what assurance they have that the 200 to 250 construction jobs will be filled by people in this community as opposed to importing labor from elsewhere in the country that may work at a cheaper rate. Mr. Ankrom stated that the design build firm they have selected is headquartered in Memphis, Tennessee and have been instructed to use local labor and will be sending bid documents to local sub-contractors. He stated that he has also sent them a list of sub-contractors who use union labor and asked that they be included in the proposals.

Mr. Stumpf asked if they agreed to pay prevailing wage jobs. Mr. Ankrom stated that they did. Mr. Stumpf asked if they have signed a project labor agreement with any local entity. Mr. Ankrom stated that they have not. Mr. Stumpf explained that he is very grateful they are choosing this community for this large project. It will be a great boom to the economy, is great for the farmers, and the immediate services that will be performed at this plant. It's an all around great thing, but there are questions with the water and sewage problems. When you say you are going to use prevailing wage jobs you are not saying union labor or prevailing wage with benefits.

Mr. Ankrom explained that their steering committee is made up of 29 individuals who put their money at risk to develop a project. Some significant investors have decided to invest in additional projects after they seen what was done with the first project in Griggsville. The committee decided they have no problem using union labor. He apologized for not returning phone calls and stated that if he had received them he would have returned the calls. He stated that he talked to half a dozen people from organized labor organizations and indicating to them they have no problem using organized labor. This will be a competitive bid process and every sub-contractor will have an equal footing.

A motion was made by Mr. Stumpf, seconded by Mr. Bunch, to table Resolution 20 for one month until they can get a project labor agreement established and they can get some answers on the environmental issues.

Mr. Ankrom explained that zoning is just the first step to get this project going and if they get the zoning they will have some confidence and assurance that there will be a return on the investment made. This isn't cheap and will cost tens of thousands of dollars just for the work done for permitting. With this they will be able to take the next step and start the process so the public can ask questions and review the water issues. He stressed that if they cannot begin tonight they will not be able to make the necessary investment to move this project forward. Mr. Stumpf clarified that he does not think they will have a problem with the environmental issue, but the questions still have to be answered. The main issue is with organized labor and the project labor agreement.

Chairman VanMeter asked for a roll call vote on the motion to table Resolution 20. Upon the roll call vote, there were 7 Yeas – 19 Nays. The motion failed. Those voting Yea were: Mr. Buecker, Mr. Bunch, Mr. Cahnman, Mr. Pace, Mr. Stumpf, Mrs. Turner, and Mr. Wieland.

Brad Schaive, opponent, residing at 1615 N. Dirksen, addressed the Board. He stated that if the people in the area do not get a chance to work on this project, then there will be people coming in from out of state who do not buy gas here, don't rent here, don't pay taxes here, or stay in hotels here. They spend nothing, take our money and go back to where they came from. He asked why there is nothing in writing that stipulates they have to hire union labor and pay prevailing wage.

The project is very important for the community, but they should at least take a moral stance and see that people who pay taxes in this area get the jobs. He stated he is representing four unions in this area with 8,000 members. That is 8,000 families whose children go to school here. Union density in this town is enormous and is one of the highest in the country. If they do not have a problem with prevailing wage or hiring union labor then they should sign a project labor agreement.

Mr. Cahnman asked Mr. Schaive if he has had any experience where the contractor agreed to pay the prevailing wage and started out paying it, but later on paid less than the prevailing wage. Mr. Schaive stated that he has. The problem is if they do not pay the prevailing wage on day two then there is no legal recourse. The only people who can take care of that is the Department of Labor. Mr. Cahnman asked him if he has any suggestions on how they can assure this is complied with if there is a clause put in the contract to pay prevailing wages. Mr. Schaive suggested sitting down with them to modify a labor agreement. The Board should take into consideration they were elected to look after constituents in this area. Mr. Cahnman asked what mechanism other than a project labor agreement could be used to assure the prevailing wage provision is complied with. Mr. Schaive suggested a project only could be done in that location for that job. He stated that they are just looking for some type of protection and some assurances.

Mr. Snell asked if he thinks this is a suitable place to zone I-2 for an ethanol plant. Mr. Schaive stated that he does not know because he does not live there, but he does pay taxes here and does have a voice.

Mrs. Turner stated that there are some real issues people need to think about, because after the zoning is done they will be ready to move on with this. Other issues besides the unions need to be raised and they should look at this from a compromise situation. Nobody wants to stop the project because they are all interested in economic development and seeing the county grow and prosper. She added that they really need to think about what kind of an investment people are making in the community and for those people who live and work in the community. All of the prospective parties need to get together and get some serious dialogue together to get questions answered and get something worked out where everybody will be comfortable with it.

Mr. Mendenhall clarified that he is not anti-labor. He stated that the proponent has proposed the question of asking for an enterprise zone. In other enterprise zones they have granted; local labor, prevailing wage, and local supply houses have been tied to that agreement. He asked if something like this would suffice if it were available. Mr. Schaive stated that it would answer all of their concerns.

Mr. Hall stated that they have been accused of hurrying this issue up. He assured everyone that they have carefully spoken with the Johnson's and the neighbors and have tried to work out an agreement.

Mr. Griffin stated that he wants to see this ethanol plant built, but he does echo Mr. Schaive's comments and wants to see the money spent on people in Sangamon County and the surrounding areas.

Mr. Stumpf pointed out that the first time any labor organization heard from these people was yesterday and that is why he wanted to table this so they could work out an agreement and try to get these jobs for local people.

Mr. Bunch stated that he is for this project, but would like to know if Mr. Ankrom would be willing to sit down with these people and talk about some of these issues. Mr. Ankrom stated that they would not have a problem with that but they do need to know if they will have the ability to spend the \$1,000,000 plus in the next several months to develop the project. He stated that they are perfectly willing to sit down with organized labor, and apologized for not receiving any of the phone calls that were made to him. This is only the first step in many steps that will be made in which all of the citizens will get the opportunity to have input in every regulatory, social, and cultural issue they face. Mr. Bunch asked them to shake on the agreement to sit down and talk about this. Mr. Ankrom and Mr. Schaive shook hands on the agreement.

Mrs. Long agreed with Mr. Schaive and she does want this plant built. She stated that she hopes they can work this out and come to some kind of an agreement.

Mr. Moss asked Mr. Schaive if the creation of an enterprise zone would do what they are working towards. Mr. Schaive stated that he believes that without the support of the Board this evening it will be built by people who are not from this area.

Colleen Biven Carney Harms, proponent, residing at 12500 Auburn Rd. in Auburn, addressed the Board. She stated that she has lived there for all but 13 years of her life. She expressed her concern with the ethanol plant being just south of her house. She explained that she visited an ethanol plant in Palatine, Illinois with Bob Johnson and toured the outside of the facility. There was hardly any odor from the facility and it was very clean and white. The town was prospering so well that they built a new school right in the back yard of the facility. She expressed that she was really concerned until she saw this facility. This would be a great opportunity for Waverly. Taxation from the ethanol plant would be about \$7,000,000, and half of that would go to the schools.

Dan Fesor, opponent, residing at 12739 Duewer Road in Waverly, addressed the Board. He stated that ethanol production is an industrial process creating hazardous materials that need to be handled with the utmost care. He explained that his three concerns are lack of detail, lack of commitment, and the speed of the proposal. There have been no studies for the proposal or layout sketches to review of this. They have made no commitments for this development and have not allowed public scrutiny. There is question as to whether they could change this to a wet-mill process. Also, the fire suppression system could be inadequate. It may be wise to get some of these questions answered. There should be informational meetings so the public can attend and ask these questions.

Mr. Hall asked Mr. Fesor if he has had any issues with odors in the area. Mr. Fesor stated that it is a very nice area and he has not had any issues.

David Stuva, proponent, residing at 4620 Brookview in Auburn, addressed the Board. He stated that he is the CEO of Rural Electric Convenience Cooperative and provides electricity service to 5,700 accounts in Morgan, Macoupin, Montgomery, Christian and Sangamon Counties. This new ethanol plant will be located in Rural Electric's territory and they will be providing electricity for the plant and are strong supporters of it for the benefit of the area. The presence of the plant will be a great asset for the cooperative. A higher volume of electric sales will improve the overall load factor; will result in a lower average cost per kilowatt hour for operating expenses and that means stabilized rates.

Barry Hines, opponent, residing at 831 E. Monroe, addressed the Board. He stated that he is an attorney representing a couple of the property owners in the near area. They are concerned about the water source and where it is going. They are concerned with the waste generated by the process and whether it will pollute the area. One issue addressed is that the Johnsons have specified the use for this to be an ethanol plant so that it cannot be used for something else if this does not go through. Another concern is if the resolution specifies that the Board reserves the right to petition for a down zoning if this does not go through. The neighbors do believe this will change the essential character of their neighborhood.

Mr. Armstrong stated that a provision has been made in the resolution so that the County Board can down zone the property to "A" Agricultural if necessary. He stated that they do feel if anything were to be zoned there it would be for agricultural use.

Mr. Goleman asked if the opponents have made contact with the proponents on the drainage issue concerns. Mr. Hines stated they have not, but they are concerned with where this waste water turns into ground water. Mr. Goleman asked Mr. Ankrom to address the issue of waste water and drainage issues. Mr. Ankrom clarified that the only drainage will be from personal use. They have estimated about 60 gallons per employee. It will be treated and handled on site and discharge to a reservoir on site and none of it will enter the watershed and go back into Lake Springfield. Ms. Poludniak, professional staff, clarified that this will be a large scale development and basically would be a local engineering review through the land subdivision committee and would address their sewage disposal facilities as well as run-off from the site. Mr. Goleman asked for clarification as to whether they would have an avenue to get these issues addressed. Ms. Poludniak confirmed that they would.

Greg Dolbert, opponent, residing at 517 W. Adams in Auburn, addressed the Board. He stated that he runs a local business in the area with 19 full-time and 7 part-time employees and they are a friendly competitor of Mr. Johnson. Some of the objections is that there is no legal description of the tract; increase in traffic; no plan for the water origination; no design has been submitted; the true owners are still unknown; and the size of the plant is too large. It would not be responsible and would be premature to approve an I-2 zoning for such a large plant with the little bit of information that has been given.

A motion was made by Mr. Goleman, seconded by Mrs. Long, to amend Resolution 20 by deleting in its entirety Exhibit A replacing it with a new Exhibit A which reduces the described area to be zoned to 100 acres within the loop tract. A voice vote carried on the amendment. The amendment was approved.

Joe Powell, proponent, residing at 518 N. 5th in Auburn, addressed the Board. He stated that he is the Mayor of Auburn and echoes Mr. Warren's comments and feels this would be a great opportunity for economic development in this area.

Joyce Blumenshine, opponent, residing at 2419 E. Reservoir in Peoria, addressed the Board. She stated that she is looking for some common sense. There is no project plan and no specifics on the water and the water impact. There are other concerns for this area besides letting this proposal lead the Board into a rush decision. They need the opportunity to get the facts on this and see the impact this will have on the county now and in the future. There is every reason to postpone this for at least three weeks. They may be able to address the water issues and labor issues within that time. This will also impact the air quality even though it is a dry mill.

Tim Lash, proponent, residing at 12247 Gibson Rd. in Waverly, addressed the Board. He stated that he is a local farmer and neighbor to the proposed ethanol plant. He stated that he has been involved in farming policies for over 12 years with a local farm organization. There were surveys done showing more 200,000,000 bushels of corn grown within a 50 mile radius in this area. That would well supply the need for an ethanol plant. This is the heartland of American agriculture and would be a good place to put an agricultural friendly business. The jobs and tax base are needed in this community. This is an incredible opportunity to have something in this area that would be very beneficial to the entire United States.

Dave Gurnsey, opponent, at 3150 Wide Track Drive in Springfield, addressed the Board. He stated that he is a representative for the I.B.E.W. local in Sangamon and surrounding counties. Mr. Gurnsey asked the Board not to think for a minute that this outfit came in here looking to spend \$200,000,000 to \$300,000,000 without assessing the labor market in this area. The fact of the matter is if this job gets done with local labor in this area then it will be union labor. There are no large non-union trades in this area that could man this plant.

The question has been raised that this is a zoning issue and not a labor issue, but this is the County Board's one and only chance to handle this on a local level. It is a moral and social issue to assure this project gets built with local labor so that all citizens in the area benefit from the project. He added that they are definitely for this project if it is built with union labor, and hopes a member of the County Board would propose an amendment that a P.L.A. be worked out with the developers and then approve the motion.

Mr. Cahnman asked if this amendment could be done legally under the zoning ordinance. Jim Grohne, Assistant State's Attorney, stated that this would amount to pure contract zoning and would probably not be enforceable.

Mr. Buecker asked the project manager if they would guarantee they would get with the laborer's union to work out an agreement. Mr. Ankrom stated that they do need the zoning to be approved tonight, and they will get together with Mr. Schaive and others who wish to meet and talk about this. He stated that he does not know what other assurance he could give to them that they will bid this project prevailing wage. There are cameras rolling and 400 or 500 people present to hear this.

Mr. Cahnman asked if he also said they intend to use local labor. Mr. Ankrom stated that it is their intention. They have instructed the builder to bid local contractors on this. Mr. Cahnman asked if he would be willing to allow a third party to monitor the wages being paid to assure the provisions in the contract are being complied with. Mr. Ankrom stated that they do understand what Mr. Schaive is saying and they are willing to have this monitored. If the contractor were to pay less than prevailing wage he therefore could bid a lower amount and would be treating others unfairly. There are attorney's who could put together a good contract to assure prevailing wage is being paid. Mr. Cahnman asked Mr. Ankrom if he would be willing, as the project manager, to commit to this and make sure it is enforced and complied with. Mr. Ankrom agreed that he would. Mr. Cahnman asked how long it took to get the zoning changes needed for the Griggsville plant. Mr. Ankrom stated that it took around four weeks. Mr. Cahnman asked how accurate the statement was when the objector said there would be roughly 142,000 in and out trips. Mr. Ankrom stated that the Johnson's currently are originating about 25,000,000 bushels per year, which is the equivalent of roughly nine semis per hour. In this case it would be around 18 semis per hour. The Johnson's have built a private drive on their property that extends about $\frac{3}{4}$ of a mile so the trucks waiting to dump will be on private property and not on the main road. They are also asking for a turn lane from the east so the traffic on Route 104 going from east to west is not blocked.

Mrs. Turner asked if non-local contractors will also be allowed to bid on this so there will be a competition basis between local and non-local contractors. Mr. Ankrom stated that every contractor who wishes to bid will be given the opportunity.

Mr. Wieland asked Mr. Ankrom to explain the difference between a dry and wet mill. Mr. Ankrom explained that a wet mill uses a sulfur based chemical to treat the kernel of the corn and loosen it up so it's easier to get it to starch. A dry mill simply mills that corn kernel without any chemicals so there is no resulting smell. The dry mill process also produces the starch and other elements of the corn that go into the distillery operation. Mr. Wieland asked what it would take to change this to a wet mill. Mr. Ankrom stated that it would take a whole lot of capital, which they don't intend to make and they do not intend to change it to a wet mill. Mr. Wieland asked what inspectors will be watching over this project. Randy Armstrong stated that there will be inspections & permits required by the Environmental Protection Agency, Public Health Department, and the Regional Planning Commission.

Mr. Mendenhall stated that he hopes all of the questions and issues have been addressed that were given to him. If not, they will be farther down in the permit process. He stated that this is not only good for Sangamon County, but is also good for the State of Illinois and surrounding counties, and he encouraged the adoption of this petition.

Mr. Cahnman asked if the Griggsville plant was switched from a wet mill to a dry mill. Mr. Ankrom stated that it has always been a dry mill process.

Chairman VanMeter asked the professional staff what would happen if the facility does not receive the water it needs to operate. Mr. Armstrong stated that it could not be built. Mr. VanMeter asked if the area to be zoned I-1 is clearly defined. Mr. Armstrong stated that it is included in the amended Resolution. Mr. VanMeter asked what would happen to the facility if it does not receive E.P.A. approval. Mr. Armstrong stated that they could not proceed. Mr. VanMeter asked what assurances there are for the community that the petitioners won't put an auto plant or some other facility there. Mr. Armstrong stated they would have to go through the same processes the ethanol plant would, but this is clearly an agricultural area.

Mr. VanMeter asked if the proponents would have to come before the Board if they wish to seek enterprise zone designation for this. Jim Grohne, Assistant State's Attorney, stated that is correct.

A motion was made by Mrs. Long, seconded by Mrs. Turner, that the Board retire as a Committee of the whole and return to the regular order of business. A voice vote was unanimous.

Chairman VanMeter asked for a roll call vote on the motion to adopt Resolution 20, as amended. Upon the roll call vote, there were 26 Yeas – 0 Nays. Resolution 20 was adopted. Mr. Bunch stated that he was not going to vote for this, but changed his mind after hearing the proponent speak and say he would sit down and meet with everyone. Mr. Stumpf stated that he appreciates they are using Sangamon County and he hopes they will get with local labor and work out some project labor agreements.

Mrs. Turner echoed the sentiments of Mr. Stumpf and reluctantly voted yes. She stated that she sincerely hopes the proponents will get together with local labor and come to some agreement.

MOTIONS CARRIED
RESOLUTION ADOPTED

OLD BUSINESS

There was no old business.

NEW BUSINESS

A. Resolutions

There were no new resolutions.

B. Appointments

A motion was made by Mrs. Long, seconded by Mrs. Turner, for approval of the appointments.

Appointment of Mike Keafer as Trustee to the Rochester Fire Protection District, replacing Perry Waters.

Appointment to the Indoor Air Act Review Ad Hoc Committee
Rosemarie Long – Chairman
Tom Fraase – Co-Chairman
Tyrone Pace
Debbie Cimarossa
Tim Griffin

A voice vote was unanimous for approval of the appointments.

MOTION CARRIED
APPOINTMENTS ADOPTED

C. Sheriff's Deputy Contracts

A motion was made by Mr. Griffin, seconded by Mr. Bunch, for approval of the Sheriff's Deputy Contracts. A voice vote was unanimous.

MOTION CARRIED
CONTRACTS ADOPTED

COMMITTEE REPORT ON CLAIMS

A motion was made by Mrs. Long, seconded by Mrs. Turner, 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 Mrs. Turner, seconded by Mrs. Long, to recess the meeting to August 8, 2006 at 7:00 p.m. A voice vote was unanimous.

**MOTION CARRIED
MEETING RECESSED**