

MINUTES

SANGAMON COUNTY BOARD

MAY 9, 2006

The Sangamon County Board met in Reconvened Adjourned September Session on May 9, 2006 in the County Board Chambers. Chairman VanMeter called the meeting to order at 7:00 p.m. Mr. Montalbano 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 28 Present – 1 Absent. Mrs. Turner was excused.

PROCLAMATIONS

Mrs. Musgrave and Mr. Snell, on behalf of the Citizens Advisory Committee introduced Kevin Hyatt, President of the Animal Protective League, to present an award to the Sangamon County Animal Control Center.

Mr. Hyatt stated that every year the Animal Protective League Board awards a plaque for going above and beyond for the helping of animals. Last Fall they decided that the Sangamon County Animal Control Center was very worthy of this. They feel they are extremely lucky to have such a good animal control center and to have such a good working relationship with them. The Board actually gave out the Public Sector about three weeks ago at one of their functions and would like to give it out tonight to let the Board know what a wonderful Animal Control Center they have.

Greg Largent addressed the Board. He stated that he has been here for about four years and has tried to keep a good working relationship with this organization and is looking forward to many more years working with them. This is recognition of a foundation that has been built. The staff present tonight is just a small representation. There are actually 18 full-time employees. It is a great honor to receive this award.

Mr. Bunch commended the employees of the Animal Control Center for the work they do.

Greg Largent introduced the employees who are present. They are: Jim Weakley, Kennel Manager, Sheila Krall, Clinical Support Supervisor, and Linda Pittman, Clinical Support.

APPROVAL OF MINUTES

A motion was made by Mrs. Long, seconded by Mr. Bunch, for approval of the Minutes of April 11, 2006. A voice vote was unanimous.

MOTION CARRIED
MINUTES ADOPTED

CORRESPONDENCE

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

A motion was made by Mr. Bunch, seconded by Mrs. Long, 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 bridge petition for Maxwell Township on Gibson Road.

A motion was made by Mr. Hall, seconded by Mr. Montalbano, for the adoption of Resolution 1. Upon a roll call vote, there were 27 Yeas – 0 Nays.

MOTION CARRIED
RESOLUTION ADOPTED

RESOLUTIONS 2 - 3

2. Resolution approving the bridge petition for Gardner Township on Old Salem Lane.

A motion was made by Mr. Forsyth, seconded by Mr. Fraase, for the adoption of Resolution 2. A motion was made by Mr. Bunch, seconded by Mr. Pace, to consolidate Resolutions 2 – 3. Chairman VanMeter asked the Clerk to read Resolution 3.

3. Resolution approving additional right-of-way and engineering for Cardinal Hill Road.

A voice vote was unanimous on the consolidation. A motion was made by Mr. Goleman, seconded by Mrs. Scaife, that the roll call vote for Resolution 1 stand as the roll call vote for Resolutions 2 – 3, as consolidated.

MOTIONS CARRIED
RESOLUTIONS ADOPTED

RESOLUTION 4

4. 2004-16 – Anna Sheehan, 2981 Alpine Drive, Springfield – Denying a Variance. County Board Member – Sarah Musgrave, District #9.

A motion was made by Mrs. Musgrave, seconded by Mr. Fraase, for the adoption of Resolution 4. Chairman VanMeter asked the professional staff to give the procedural history of the case.

Dave Kiliman, with Regional Planning, stated that the petitioner is requesting a variance of the west side yard setback requirement from 10' to 6'. Randy Armstrong, Zoning Administrator, stated that the property is on Alpine Drive just off State Route 29 southeast of Springfield. The petitioner placed a mobile home on the property 6' from the property line instead of the required 10'. Mr. Kiliman stated that there is enough area and lot width to place the mobile home on the property in compliance with zoning regulations and the staff recommends denial. Mr. Armstrong stated that the Zoning Board of Appeals concurs with the staff report and recommends denial.

Chairman VanMeter explained that since there was a formal petition and protest filed, this Resolution will require a $\frac{3}{4}$ vote in the negative to approve the variance. That would be 22 members voting no.

Frank Sheehan, residing at 2981 Alpine in Springfield, addressed the Board. He explained there are several issues on this. Upon looking at the aerial photograph provided it shows they may actually meet the 10 feet. It would have to be surveyed. Once the double module unit is put in, there will be very little usable land on this. He stated that he has a letter from the Zoning Board dated 1991 saying the rest was all grandfathered in with a 3-foot variance. He explained that the way the septic is put in they need to be just about right where they are at. The only issue was because the unit runs north and south instead of east and west like everybody else. Because this lot is so small there is no way to put it in for the 10-foot variance over the 10-foot side yard requirement. Mr. Sheehan stated that the objector did not show up tonight so he is assuming they do not have a problem with this now.

Mr. Bunch asked if the unit was already moved before they came before the Board. Mr. Sheehan stated that it was because they were not aware another permit was needed. Mr. Bunch asked if they assumed since they took one mobile home out they could just put another one in. Mr. Sheehan stated that it was their assumption.

Mr. Moore asked the professional staff to address this issue. Randy Armstrong explained that it was written by John McMillan and he considered just the one lot which is only 100 feet wide and if you don't have 150 feet of width you are allowed to have a 3-foot side yard if it is a grandfathered lot. He actually owns another 60-foot strip, so together it complies with zoning and means you are required to have a 10-foot side yard. The lot to the west only has a 100-foot lot and they were allowed to go to 3-feet where the petitioner is required to have a 10-foot. There was a single wide that was pulled out and they now have a double wide which will be put on a permanent foundation.

Mrs. Musgrave asked Mr. Sheehan to confirm that he will definitely put this on a permanent foundation. Mr. Sheehan stated that he would.

Mr. Pace asked if the structure would go across both lots. Mr. Sheehan stated that it would only be on one lot. Mr. Pace asked why the other lot is being taken into consideration on this decision. Mr. Armstrong stated that it is considered one parcel if you own two lots that can be put together and meet the lot width requirement.

Mr. Fuglenzi stated that it looks like the second parcel of land is not usable for anything. Mr. Armstrong explained that if you meet the lot width requirement you are required to have a 10-foot side yard.

Mr. Buecker asked if it would be possible to sell the strip of land. Mr. Armstrong stated that it would be possible.

Mr. Pace asked if they could deduct the unusable parcel from the consideration and if the Board could make that consideration. Mr. Armstrong confirmed that the Board would have to make that consideration.

Mr. Cahnman asked if any neighbors are opposed to the variance. Mr. Sheehan stated that most of the neighbors have signed a petition agreeing to this.

Mr. Moss asked if the objectors present at the Board of Appeals have changed their mind. Mr. Sheehan stated that he is not sure if they have.

Chairman VanMeter asked for a roll call vote on the motion to adopt Resolution 4. Upon the roll call vote, there were 0 Yeas - 27 Nays. The Resolution written "to deny a variance" is denied and the variance is granted.

**MOTIONS CARRIED
RESOLUTION DENIED**

RESOLUTION 5

5. 2006-18 – Doug Dennis, 4755 W. Washington St., Springfield – Approving a Rezoning and Variance. County Board Member – Tom Fraase, District #1.

A motion was made by Mr. Fraase, seconded by Mr. Vaughn, for the adoption of Resolution 5. Chairman VanMeter asked the professional staff to give the procedural history of the case.

Dave Kiliman stated that the petitioner is requesting a rezoning from "A" to "R-1" with a variance to allow the lot depth to exceed 2 ½ times the lot width for one parcel to allow the property to be divided into 2 parcels. Randy Armstrong stated that the property is on West Washington Street just west of Bradfordton Road. The 6.6 acre tract is improved with one single-family residence. The petitioner wants to divide the property into 2 tracts and build a new home on the vacant parcel. Mr. Kiliman stated that the Land Evaluation and Site Assessment score of 124 indicates the property is acceptable for non-agricultural development and the proposed residential zoning is in line with the trend in the area. The unique configuration of the property is a limiting factor in division of the property. The standards for variation are met and the staff recommends approval. Mr. Armstrong stated that the Zoning Board of Appeals concurs with the staff report and recommends approval.

Barry Hines, Attorney at 831 E. Monroe in Springfield, addressed the Board. He stated that he is representing several neighbors in the area who are objecting to this petition. They include Elmer and Marion Rickey to the east; Ed & Jana Harvey to the west; Laverne Harvey who owns acreage to the north and west; and Ed, Tim & Lisa Harvey who own the remaining acreage to the north and east. They all are very concerned about the granting of this variance because this is not a flag lot but does need a variance of 2 ½ times the lot depth to width. They are concerned with the petitioner building to the back of this lot. To get to this they would have to cross a damn which is on the border of the subject property and of the property of Ed and Jana Harvey. Part of the embankment and the pond outlet is on their property. Their position is that it was never built to bear road traffic. The other way would be to go along the pond behind the Rickey's property. They feel full subdivision standards to develop this tract. The people who are most affected by this are in opposition to it and have filed a written protest.

Mr. Moore asked if this is a flag lot. Randy Armstrong stated that the whole depth of the lot meets requirements and is not technically a flag lot.

Mr. Cahnman asked if the professional staff knows what the property owner wants to do with this property if he were to receive the zoning relief he is seeking. Mr. Armstrong stated that there is a sketch attached to the resolution. He wants to divide the property into two pieces and build a new home to the rear of the existing house on the other side of the pond.

Mr. Fulgenzi asked where the other home was going to be built. Mr. Armstrong stated it would be to the north and east of the pond. Mr. Fulgenzi asked if there are any rules and regulations about how they can build a driveway back to that location. Mr. Armstrong stated that there are none to his knowledge for a private driveway. Mr. Fulgenzi asked if you can have a private driveway going over a damn. Dave Kiliman clarified that this would be a private driveway and is not a public road.

Mr. Vaughn asked if this pond is entirely on Mr. Dennis' property. Mr. Armstrong stated that it is. Mr. Vaughn stated that whoever owned that piece of property before built the pond because it is not a natural pond, therefore, they would have full control as to what they do with the pond and the damn. Mr. Armstrong agreed.

Chairman VanMeter asked for a roll call vote on the motion to approve the rezoning and variance. Upon the roll call vote, there were 5 Yeas – 22 Nays. Resolution 5 written "to approve a rezoning and variance" was denied. Those voting yea were: Mr. Cahnman, Mr. Fulgenzi, Mr. Griffin, Mr. Pace, and Mr. Vaughn.

MOTION CARRIED
RESOLUTION DENIED

RESOLUTION 6

6. 2006-19 – Harry & Judith Buckman, 10016 Prairie Creek Road, New Berlin – Approving a Rezoning. County Board Member – Craig Hall, District #7.

A motion was made by Mr. Hall, seconded by Ms. Cimarossa, for the adoption of Resolution 6. Chairman VanMeter asked the professional staff to give the procedural history of the case.

Dave Kiliman stated that the petitioners are requesting a rezoning from "A" to "R-1" to allow the division of a parcel. Randy Armstrong stated that the property is on Prairie Creek Road, 2 miles west of Farmingdale Road. The 4.78 acre parcel is improved with a residence. The petitioners want to divide the tract into two lots and build a home on the vacant parcel. Mr. Kiliman stated that the Land Evaluation and Site Assessment score of 180 indicates the current agricultural zoning is most appropriate. One of the reasons for the high score is the drainage way on the property. Unless the Public Health Department confirms the requirements for a septic system and well with a new home can be met on the proposed building site, which contains the drainage way, the staff recommends denial. Mr. Armstrong stated that the Zoning Board of Appeals recommends approval. The Board felt the concern over the waterway and the issue of adequate area for a septic tank was an issue to be addressed by the Public Health Department when the subdivision is platted and/or when a building permit is applied for.

James Kinner, residing at 1820 Parkes Kinner Road in New Berlin, addressed the Board. Any excess rainfall coming off from the 200 to 300 watershed behind this lot is channeled into 2-tiled waterways in the center of it. Putting another home here would not be a good idea. The family has had problems in the past with water that comes off the field. He stated that they have talked with the Public Health Department and they agreed septic systems cannot be in a waterway and they can't be within ten feet of an existing tile. District #7 County Board Member Craig Hall has also been out there and does not support it.

Mr. Hall asked Mr. Kinner if any changes have been made to improve this acreage or if there are any issues on his acreage. Mr. Kinner explained that the problem with the water coming through before was with an adjacent lot. The grass where the water drains out of the field had settled in, causing standing water. Since then, waterways have been re-shaped and the yard was lowered to meet the box culvert at the road.

Judy Buckman, residing at 10016 Prairie Creek Rd. in New Berlin, addressed the Board. She stated that Mr. Fraase was out to test the septic tank and said everything is fine. There is no problem with the waterway or the well.

Mr. Goleman asked Mrs. Buckman which Mr. Fraase she is referring to. Mrs. Buckman clarified that it is Charles Fraase who takes analyses of the property for septic tanks.

Chairman VanMeter asked Jim Henricks from the Public Health Department if he would like to add any testimony to this for the record. Mr. Henricks stated that the soils on the west part of the parcel appear to be suitable for septic tank and lateral field but the question is if there is enough area for two separate lateral fields in case the first one fails.

Chairman VanMeter asked for a roll call vote on the motion to approve a rezoning. Upon the roll call vote, there were 3 Yeas – 24 Nays. Resolution 6 written to “approve a rezoning” was denied. Those voting yea were Mr. Bunch, Mr. Fulgenzi, and Mr. Pace.

MOTION CARRIED
RESOLUTION DENIED

RESOLUTION 7

7. 2006-20 – Georgianna Kirbach, 4055 W. Jefferson, Springfield – Approving a Conditional Permitted Use. County Board Member – Tom Fraase, District #1.

A motion was made by Mr. Fraase, seconded by Mr. Vaughn, for the adoption of Resolution 7. A motion was made by Mr. Vaughn, seconded by Mrs. Long, to amend Pages 2 and 6. On Page 2 after the word lease it should say 40’ x 60’ and on Page 6 the vote should be changed to reflect Charles Chimento as voting no. A voice vote was unanimous on the amendment. Chairman VanMeter asked the professional staff to give the procedural history of the case.

Dave Kiliman stated that the petitioner is requesting a conditional permitted use to allow for automotive repair/refinishing. Randy Armstrong stated that the property is on West Jefferson Street east of the Bradfordton Grain Elevator. The property is zoned “I-2” and is improved with an industrial park. The petitioner wants to occupy about 1/3 of an existing building and open an automotive body shop including spray painting.

Mr. Kiliman stated that the staff recommends approval because the property is located within a commercial complex with no residences in close proximity. Mr. Armstrong stated that the Zoning Board of Appeals concurs with the staff report and recommends approval.

Tressa Hartman, residing at 2420 Stokebridge in Springfield, addressed the Board. She explained that after the tornado on March 12th her brother's business was destroyed and they then discussed going into business together. She explained how they like this area and it would be the key to success of the business. With the high traffic area it would be conducive to the growth of the business. She stated they have made sure to comply with all State and E.P.A. regulations and with the Public Health Department requirements, and after the zoning is approved they will be working with professionals to submit a plan for any improvements made to the building to comply with the County Code and any State requirements. She stated that they have contacted local business owners operating in this area and have received written letters in support of this. She stated they have attempted to speak with Mr. Midden, who owns the sole residence in this area and is over 1,000 feet away, to address any of his concerns. She added that her brother has 12 years of experience and a great reputation in the auto industry.

Mr. Stumpf expressed appreciation to the petitioners for the thorough information they have sent in. He asked for confirmation if the plumbing inspector has come out and spoke about the need for an oil/water separator. Ms. Hartman stated that they have spoken on the phone and are aware of the need for an oil trap.

Mr. Moss asked why they are looking for a new site for the business. Ms. Hartman explained that the old business was destroyed and it would have taken 8 to 12 months before it could re-open so they decided it would be a good time to go into business together.

Mr. Vaughn asked if they would insulate the building to cut down on the noise. Ms. Hartman explained that there is already insulation in the building and they would put up aluminum walls and ceiling. The noisiest item in the building would be a compressor.

Mr. Montalbano asked if there would be cars kept outside. Ms. Hartman explained that there would be no cars stored outside. There may be cars parked outside only during business hours.

Mr. Cahnman stated that he understands one of the conditions of the conditional permitted use is they would store non-wrecked vehicles outside. He asked if they would store wrecked vehicles outside. Ms. Hartman stated that they would not store any vehicles outside during non-working hours.

Tim Dugan, Attorney at 426 S. Fifth Street in Springfield, addressed the Board. He stated that he represents the opponents who have a problem with the storage outside. They feel the petitioners want this spot because it is conducive to growth.

There is concern with them putting wrecked cars outside because there would not be much room inside when you put all these things in there. Also, when you are banging metal and dents out, there will be noise. The petitioners say it will not matter because the residence is 1,000 feet away, but as you look at the pictures you can see there are other buildings around this area. Another issue is that this is already zoned "I-2" which does not allow an auto body business with or without painting. This area is just not suitable as an industrial park.

Mr. Moore asked if "I-2" does allow for an automotive business. Randy Armstrong explained that it allows for a standard automotive repair business with no body work or spray painting. Mr. Moore asked what Mr. Midden's recourse would be if he sees wrecked cars stored outside the building. Mr. Armstrong explained that he would have to contact the Zoning Office who would then notify the property owner of the violation and try to seek voluntary compliance. If there is no cooperation the matter would be sent to the State's Attorney's Office for action.

Mr. Stumpf asked what types of businesses would not need the County Board's approval if they opened up under "I-2". Mr. Armstrong stated that they would include fertilizing manufacturing, repair shops, or any establishment engaged in production, processing, cleaning, or storage. "I-1" could include packing and crating and printing and publishing.

Mr. Cahnman asked what the theory was when all these other manufacturing businesses were included in "I-1" and not automobile body shops. Mr. Armstrong explained that when the zoning was adopted in 1969 the technology was not that good for things such as spray painting control. There is better spray painting booths now to filter out the majority of the odor.

Mr. Mendenhall asked why the objectors included photos of what a body shop could look like and does not include pictures of body shops such as Kulavics. Just because these businesses look bad doesn't mean the proposed business will. Mr. Dugan explained that they were concerned with worst case scenarios.

Ms. Hartman stated that it would be important to have the business in this area because of the high traffic area and the ability to grow a customer base and maybe be able to purchase property in a different area in the future. She explained that there is a 20-filter system on the paint booths and they are E.P.A approved. You could walk three or four feet outside of the building and still not smell anything. She stated that they do want to look professional and keep a clean business.

Mr. Dugan stated that there are fumes whether there are paint booths or not. If someone does not comply people will have to make call after call. Once this is zoned it won't be un-zoned. There also have been concerns with traffic in this area.

Chairman VanMeter asked for a roll call vote on the motion to adopt Resolution 7.

Upon the roll call vote, there were 21 Yeas – 6 Nays. Those voting nay were: Mr. Cahnman, Mr. Fraase, Mr. Goleman, Mr. Pace, Mr. Vaughn, and Mr. Wieland. The resolution written “to approve a conditional permitted use” was adopted.

MOTIONS CARRIED
RESOLUTION ADOPTED

RESOLUTION 8

8. Resolution approving the final plat of Fraase Road Lots – Plat 2, a County Minor Subdivision.

A motion was made by Mr. Vaughn, seconded by Ms. VanHoos, for the adoption of Resolution 8. A voice vote carried. Mr. Fraase voted no.

MOTION CARRIED
RESOLUTION ADOPTED

RESOLUTION 9

9. Resolution allowing the GIS Division of the Information Systems Department to purchase a full size scanner.

A motion was made by Mrs. Long, seconded by Mr. Griffin, for the adoption of Resolution 9. A voice vote was unanimous.

MOTION CARRIED
RESOLUTION ADOPTED

WAIVER OF TEN-DAY FILING PERIOD

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

MOTION CARRIED
TEN-DAY FILING PERIOD WAIVED

RESOLUTIONS 10, 11, 12, 14 & 15

10. Resolution approving Sangamon County’s participation in a revised Pooling Agreement.

A motion was made by Mr. Stephens, seconded by Mr. O’Neill, for the adoption of Resolution 10. A motion was made by Mr. Bunch, seconded by Mr. Pace, to consolidate Resolution 10, 11, 12, 14 & 15. Chairman VanMeter asked the Clerk to read Resolutions 11, 12, 14 & 15.

11. Resolution approving Sangamon County's participation in an Administrative Services Agreement.
12. Resolution designating the month of May as Workforce Development Professionals Month.
14. Resolution approving an agreement with the State of Illinois for a box culvert replacement.
15. Resolution approving an amendment to the original comprehensive fire protection plan passed by referendum.

A voice vote carried on the consolidation. Mr. Cahnman voted no. A motion was made by Mr. Griffin, seconded by Mr. Cahnman to amend Resolution 11. In the fourth paragraph, "Clam Administrator" should be changed to "Claim Administrator". A voice vote was unanimous on the amendment. A motion was made by Mr. Pace, seconded by Mr. Goleman, that the roll call vote for Resolution 1 stand as the roll call vote for Resolutions 10, 11, 12, 14 & 15, as consolidated. A voice vote was unanimous.

MOTIONS CARRIED
RESOLUTIONS ADOPTED

RESOLUTION 13

13. Resolution approving a contract for the purchase of an integrated criminal justice system with New World Systems, an intergovernmental cooperation agreement with the Sangamon County Emergency Telephone Systems Department, and a lease-purchase financing agreement with SunTrust Leasing Corporation.

A motion was made by Mr. Buecker, seconded by Mrs. Long, to table Resolution 13. A voice vote was unanimous.

MOTION CARRIED
RESOLUTION TABLED

Mrs. Musgrave commented on Resolution 15. She stated that this is a project they have been working on for quite some time. She thanked all of those who have been working on this. They include a committee of County Board Members and people from the fire community. Two of those people present are Chief Dick Rentschler from the Rochester Fire Department and Chief Rich Coon from the Sherman Fire Department. Approximately 20 % of parcels in Sangamon County had no type of fire protection and last April a referendum was put out to all the voters in Sangamon County. There was great response and they passed it overwhelmingly. This was a public safety issue that needed to be addressed.

Through town meetings they went out and educated the public and let them know of this concern. They obviously recognized this was a concern for the citizens. This was a joint effort of the fire departments and the Sangamon County Board. Mrs. Musgrave publicly thanked the fire chiefs, Larry Lyons from the Farm Bureau, Ryan McCrady, County Administrator, and Joe Lindley, Supervisor of Assessments for their efforts.

Chairman VanMeter pointed out the multi-colored map which was made and was the first big project completed using the new GIS System. Mrs. Musgrave stated that with the fire protection it could also save on their homeowner's insurance so it is a great thing all the way around.

OLD BUSINESS

There was no Old Business.

NEW BUSINESS

A. Resolutions

There were no new resolutions.

B. Appointments

FIRE DISTRICTS

Expiring May 2009

Athens – Mike Burg
 Auburn – Jay Hocking
 Buffalo – Joe Lester
 Chatham – Steve Sullivan
 Dawson – D. Paul Smith, John T. Hughes, David Miller
 Divernon – William Beaty
 Eastside – Lowell Fraim
 Illiopolis – Douglas Allen Johnson
 Lake Springfield – Jack Madura
 Northside – Harry A. Paull, Jr.
 Pawnee – Bob Earley
 Pleasant Plains – Thomas E. Harms
 Riverton – Ray Lee
 Rochester – Terry Day, Greg Park
 Sherman – Glenn Allison
 Western – Phyllis Wilson
 Williamsville – Ronald Schemmer

A motion was made by Mrs. Long, seconded by Mr. Goleman, for approval of the appointments. A voice vote was unanimous.

**MOTION CARRIED
APPOINTMENTS ADOPTED**

C. Appointment of Election Judges

A motion was made by Mr. Goleman, seconded by Ms. VanHoos, for approval of the Election Judges' appointments. A voice vote was unanimous.

COMMITTEE REPORT ON CLAIMS

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

**MOTION CARRIED
REPORT FILED**

PUBLIC COMMENTS

Chairman VanMeter stated there would be public comments from individuals who want to speak regarding the Riverton Fire District.

Mr. Bunch informed both parties that they need to conduct themselves as ladies and gentlemen and respect the honesty and concerns of those speaking.

John Ippolito residing at 6859 Telstar Road in Riverton, addressed the Board. He stated that he was on the fire department and the Board has made a lot of changes through the years and now that he is not on the department anymore he is seeing things through a taxpayer's point of view. Right now one of the five Board Members works for Mr. Wieland who appoints the members and submits to the County Board for approval. A Board should not be controlled by one single person. Obviously they are not running checks on who is appointed. These people need to be diversified and not connected with one person. They need to make their own decisions. They knew they were changing the Chief because it was already said and done. This is not a Board; it is just one person saying it. He stated that he wishes the County Board would change this so that they don't have to go out and get signatures to change it themselves.

Tom Babicky, residing at 112 Menard in Riverton, addressed the Board. He stated that he was also on the fire department. The Board Members need to assure that only competent individuals are appointed. Board Members have quit when asked to be held responsible for their actions. They would sometimes not even show up without notice. Job tasks were not being done.

A grant application was actually thrown away in the garbage and then retrieved by a member and they then received \$40,000 to \$50,000 for that grant. They asked for a five-man Board and it didn't work. They went from a three-man Board to a five-man Board because two of them would not do their job. When confronted, their response was "if you don't like it there's the door". This is a volunteer organization, but the Board Members are paid. A brand new Board Member was actually appointed as President over two incumbents who had been there for two years. Individuals who submitted applications to become Board Members were not selected. Later when they went to a five-man Board, these same applications were again not selected. The Board President said he thought it would be good that prior knowledge be brought into that environment, but it was not done. The current Board consists of two un-interested members, two who were appointed the first time they ever came before the public, and one-sixth month appointee who was named President, yet Mr. Wieland said this was one of the best Boards under his control. Mr. Babicky explained that these events have created the foundation for their concern. The authority vested to these members without allowing them time to evaluate the individuals applying and the individuals who are currently there, questions the capabilities of the department and what they represent. He stated that all they wanted to do was meet a compromise.

Cheryl Ellis, residing at 501 E. Adams in Riverton, addressed the Board. She stated that she is also a past member of the fire department and wants to find out who is actually in charge of the fire protection district and who they can take their complaints to. Recent letters received say that the County Board has nothing to do with the Riverton Fire District. She stated that those who are in charge are not taking their phone calls or are hanging up on them. She stated that they are coming to the County Board because they are the ones who appointed these individuals and are hoping they can get answers. The appointed members fail to answer any questions they have or will not even give them copies of minutes from the Board meetings. They are violating the Open Meetings Act by not providing these copies. Mr. Wieland also does not want to answer to anyone. Ms. Ellis asked the Board to please help them and direct them in the direction they need to go.

Louie Rogers, Riverton Fire Chief, addressed the Board. He explained that he is the member who was appointed as the new Fire Chief. There has been a lot of information put out there about the community not being protected and that is simply not true. There continues to be 25 members within the department with 12 of them being EMT's at various levels. Every call for service has been very professionally and timely responded to. He stated that he cannot address the issues with the Board, but can address the fact that he was appointed Chief. The Board did look at qualifications and did do interviews and chose the Chief they were most comfortable with. They did not ask anyone to leave or quit the department. Those that did leave went on their own accord and others that left have come back to the department. They are simply moving the department in a different direction and moving forward very professionally.

Mr. Bunch thanked those who spoke regarding this issue.

Mr. Cahnman asked Legal Counsel if it would be in order to make a motion to create a special Ad Hoc Committee to investigate this. Jim Grohne, Assistant State's Attorney, stated that an Ad Hoc Committee is the prerogative of the Chairman. A resolution could be introduced at the next meeting but a motion at this time would not be in order. Mr. Cahnman suggested to the speakers that if they feel there is a violation of the Open Meetings Act they take the issue to the Attorney General's Office who has a specific unit dedicated to enforcing the Open Meetings Act.

RECESS

A motion was made by Mrs. Long, seconded by Mr. Bunch, to recess the meeting to June 13, 2006 at 7:00 p.m. A voice vote was unanimous.

MOTION CARRIED
MEETING RECESSED