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MINUTES

SANGAMON COUNTY BOARD

APRIL 9, 2008

The Sangamon County Board met in Reconvened Adjourned September Session on April 9, 2008 in the County Board Chambers. Chairman VanMeter called the meeting to order at 7:00 p.m. Mr. Montalbano gave the Invocation and Boy Scout Evan Richards from Divernon led the Board in the Pledge of Allegiance.

ROLL CALL

Chairman VanMeter asked the Clerk to call the roll. There were 24 Present – 5 Absent. Mr. Davsko, Mr. Good, Mr. Kamper, Mr. Preckwinkle, and Mrs. Turner were all excused.

MINUTES

A motion was made by Mrs. Long, seconded by Mr. Bunch, for approval of the Minutes of March 11, 2008. A voice vote was unanimous.

MOTION CARRIED
MINUTES ADOPTED

CORRESPONDENCE

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

There was no Correspondence filed.

A motion was made by Mrs. Long, seconded by Mr. Bunch, to suspend the rules and proceed out of the regular order of business for the purpose of offering committee reports. A voice vote was unanimous. By special request from members of the Board, the Springfield Metro Sanitary District will give a report on their improvement proposal for the sanitary district.

SPRINGFIELD METRO SANITARY DISTRICT PRESENTATION

Gregg Humphrey, Director of the SMSD, gave a slide presentation showing what will be required for this project.

The plan is on 8th Street Road behind the fairgrounds. The first slide shows the plant construction on the East side of 8th Street Road so this can be constructed and in place prior to doing some renovations on the existing facilities on the West side that will remain. The second slide is for the renovation of the Sugar Creek Plant out on Clearlake, East of Interstate 55. That plant has available ground and is only 35 years old and is expected to be 40 years old when it is renovated. This will only be a renovation of the plant.

Christina Crites, from Crawford, Murphy & Tilly, who are the Engineering Consultants doing the design, presented a slide presentation to go over some of the historical background. The original SMSD Facility was built in 1928 and in 1949 an additional planning study was done. Additional expansions of the facility planning area occurred from 1949 to 1975. The incorporation of Chatham also happened during that time. The inception of Lincoln Land Community College and Sangamon State also occurred during this time. In addition, the Sugar Creek Facility was built. From 1976 to the present, growth has continued and there has been a great Westward expansion with the construction of White Oaks Mall. Additional expansion occurred South of I-72 around the Lake area. Rochester and Sherman were also added to the facility planning boundaries.

Why the need for this expansion? Well, there is definitely growth, changes in regulatory requirements, as well as age and technology. The population has trended upwards over time. They have taken a look from 1990 and projected out to what they feel the population will be around 2031. Currently, the population served by the district is around 140,000 and is projected to go up to around 180,000 by 2031. In addition, land use development was looked at during the facility planning to determine what the capacity of the plant would need to be. They looked at the undeveloped areas tributary to the plant and their land use areas. Some type of waste water flow needs to be established, which is related to the use of it. The waste water treatment needs are determined for those undeveloped areas to have the available capacity to treat out a certain number of years.

Mrs. Crites explained that there are numerous increases in regulatory requirements and she would be glad to answer any questions about those. There are more stringent requirements on existing requirements as well as additional new limits they

know are coming. There has also been consideration for future limits down the road, but they just do not know when those are coming.

The Sugar Creek Facility is 35 years old and some of the components of the Spring Creek Facility are around 80 years old. The new technology out there now is much more efficient, which would equal a reduced cost of operation.

The bulk of the new facility will be constructed east of the 8th Street area and there will also be some re-use of existing facilities for treatment. The Sugar Creek Facility will be expanded on its existing site, but the Spring Creek Facility is landlocked and does not have that option.

Mrs. Crites explained that they have gone through draft evaluations and facility planning and currently are in the designing and permitting stage. They hope to have this up and running somewhere towards the end of 2011. They used three different courses of evaluation for the flow of the plant, which were land use, census, and users. They basically determined that a very modest 32 million gallons per day, which is somewhat conservative compared to land use and is somewhat more than the others, was a good average flow to use for this. The Spring Creek Treatment Plant is going from 20 million gallons to 32 million gallons of waste water treated with a cost of \$3.91 per gallon. Compared to other facilities this is a fairly conservative number. Mrs. Crites explained some of the typical user rates, with the light users in the suburban areas versus the light and typical users in the City of Springfield. With the suburban areas, SMSD not only does treatments, but also maintains the collections systems. The City of Springfield and areas nearby maintain their own collections systems and the users pay those entities a rate for the collection system maintenance. She stated that they have also gotten a user comparison cost for other surrounding communities and they feel the rates are very compatible to the surrounding areas.

Mr. Humphrey stated that also present is John Drake, who is with the engineering consultants. Mr. Humphrey pointed out that in the handouts they were given, there are questions and answers with charts showing the reasons for expanding the facility and the timeline of how this has happened. Also, there are copies of the letters from the Illinois Environmental Protection Agency in which the district, in 2005, was notified they would be put on restricted status. This means no more extensions are allowed when you are on restricted status. The district was allowed to re-rate at the time but had to commit to a facility plan revision, which would show how the district would treat its current and future needs and treatment requirements with the E.P.A. This is when they started down the path with the project.

Mr. Fulgenzi asked if they know how many people fall into each category of light user and typical user. Mr. Humphrey stated that they do not because the billings for the district are done by the municipality. Mr. Fulgenzi asked if the bulk of the people would be light users. Mr. Humphrey stated that he is not certain.

Mr. Goleman stated that in the timeline they start out at the June 29, 2005 and talk about a letter they received from the I.E.P.A. for pending restrictive use status. He asked if this started the whole process.

Mr. Humphrey stated that it did, and they received a letter from both the Sugar Creek and Spring Creek Plants. Mr. Goleman asked if it is correct that a legal notice was published on July 11, 2007 regarding the \$10 million bond issue.

Mr. Humphrey stated that is correct. Mr. Goleman asked if there were any articles in the paper on this. Mr. Humphrey stated there was an article on July 12th in the State Journal- Register. Mr. Goleman asked if it is accurate that on August 28, 2007 the Board acted on an ordinance for the sewer revenue bonds. Mr. Humphrey stated that they did.

Mr. Goleman asked if on February 26, 2008 the Board of Trustees held a meeting and requested two public informational meetings be held prior to the March Board meeting. Mr. Humphrey explained that the Board instructed him to put an ad in the paper and hold two informational meetings. Mr. Goleman asked if that was done. Mr. Humphrey stated that it was. Mr. Goleman asked if it is also accurate to say on March 13th they sent out letters to governmental bodies to discuss what would be voted on. Mr. Humphrey stated that is correct and they did do that. Mr. Goleman stated that he does have a copy of the letter dated March 13th and is addressed to the County Board Chairman. It explains what is going to take place. Mr. Goleman asked if it is also accurate to say on March 24th two additional informational meetings were held and no comments were received. Mr. Humphrey stated that is correct. Mr. Goleman asked if the meetings were required. Mr. Humphrey stated that he did not believe so, but the Sanitary Board insisted they be held.

Mrs. Long asked if there is any way the rates could be lowered after the first year increase and rescinded after the first nine years. Mr. Humphrey explained that they are basically trying to get any other money they can for this project. To proceed with the facility plan submitted to I.E.P.A. they have had to commit to rates that would service the debt. They are trying to look for low interest State loans. They are looking at a State Revolving Loan Program and there could be adjustments in the future. There are always unknown construction costs and you don't know what is going to happen in the future. When the nine years is up, the plants are bonded out for expected life. Typically, equipment in the plants is bonded on a 20 year bond and equipment for the structures is expected to have a 40 year life. He explained that it would be the Board's decision when those bonds are nearing their ends, and he cannot speak for the Board 20 years in the future. It would be their decision at that time to analyze what revenues would be needed for operation and maintenance.

Mr. Buecker asked if they would charge the developer a higher rate now that they know they are going forward with this. Mr. Humphrey explained that they are charged by their normal user rates as a user of the system. There are no development fees tacked on because the Sanitary District does not have anything in place for that. Mr. Buecker asked if they have considered this on future developments. Mr. Humphrey stated that

they have not looked at this because typically with future developments those developers are required to install the sanitary sewers. The districts and the cities do not install the sanitary sewers. Upon inspection and approval they accept those sewers and then begin charging for the waste as it is sent to them.

Mr. Moore asked the State's Attorney what power the County Board has to hold the Sanitary District accountable for any kind of activity they do. John Schmidt, State's Attorney, explained that the County Board's power is limited to appointment and re-appointment. Mr. Moore stated he has had a lot of people asking him what they are going to do about these activities and he has been trying to explain to them this is an independent operating agency and they have their own powers and their own structure.

Mr. Moore stated he just wanted clarification from the State's Attorney that the County Board does not control or oversee them. Mr. Schmidt stated that is correct. Mr. Moore asked Mr. Humphrey if they have their own budget and have their own review of that process. Mr. Humphrey stated that they do and it is published yearly in the newspaper along with disbursements and receipts. Mr. Moore asked if their rules and actions are all set by their controlling Board. Mr. Humphrey explained that the Springfield Metro Sanitary District was organized under the Sanitary District Act of 1917, enabling legislation from the State Legislature and that is what they are required to follow. Mr. Moore asked the State's Attorney for clarification if the County Board just appoints people and does not fire them or un-appoint them. Mr. Schmidt stated that they cannot fire them and their powers are limited to appointment and re-appointment.

Mrs. Fulgenzi asked where the informational meetings were held and how many people attended. Mr. Humphrey stated that the March 24th meeting was held at the Sugar Creek Plant and there were no public comments received. No members of the public came to make comments at all. Mrs. Fulgenzi asked what happens with the equipment they are installing and projecting out until the year 2031. Mr. Humphrey explained that 2031 is not the equipment projection, but is the projected load and growth on the sanitary sewer system. It is anticipated that equipment lasts only 20 years after it is constructed and then you have to do some refurbishment and repairs. The building structures and hard structures are anticipated to last 40 years, which is why they are given the longer bonding period. Mrs. Fulgenzi asked if they are anticipating the equipment would have to be replaced in 2031. Mr. Humphrey stated that it may not all need to be replaced, but in the future they may not be able to meet the stricter requirements.

Mrs. Fulgenzi asked when the last time was there was a rate increase and what percentage of an increase it was. Mr. Humphrey stated that there has not been a rate increase since 2001 and he is not exactly certain what it was, but could look it up and get back to them on this. Mrs. Fulgenzi asked if they would see any kind of roll back in the rate because of the equipment repair that may be needed in the future. Mr. Humphrey stated that it is just anticipated it would last 20 years, but he does have equipment that is 80 years old. It is not expected that it would all be replaced or repaired. The bonding agent allows a 20 year period on it because they do not want people to get into a position where they are paying for non-working equipment in 40 years. She asked if they just do

not see any kind of rebates or the rates going down at all. Mr. Humphrey stated that he really cannot tell them one way or the other. Mrs. Fulgenzi asked how many increases there have been in the last 20 years. Mr. Humphrey stated there was an increase in 1994 and one in 2001.

Mr. Moss asked if the existing lines throughout the City are paid through this same fund. Mr. Humphrey explained that the City maintains and operates the sewer lines within the City. The Sanitary District takes care of the sewers and approximately 30 pump stations that serve the Springfield metro area. They also take care of township areas and small villages. Chatham, Sherman, Rochester and Springfield take care of their own lines.

Mr. Moss asked if most of those lines are pretty much the originals. Mr. Humphrey stated they have records showing there are sewer lines still in the system as far back as 1857. They do not know if they have been replaced; but in the City, that is when the first lines were constructed. Mr. Moss asked if they project maintenance costs to increase. Mr. Humphrey stated that would be the City, but they have gone through and done some re-lining and rehabilitation projects on their part of the system. Mr. Moss asked if there is a City tax. Mr. Humphrey stated that there is a City fee which is part of the water bill they give to the Public Works Department. Mr. Moss asked if he is aware of any increases from them. Mr. Humphrey stated that he is not aware of any.

Mr. Hall stated that he heard Sugar Creek was built in the 1970's because Springfield was growing South and East at the time. He asked if it would not make sense to build a third plant where growth is going to happen. Mr. Humphrey stated they have not looked at that and it is very hard to decide on a new plant at this time. They have looked at these plants and feel they would be satisfactory. The Sugar Creek Plant was built for expansion around the Lake area. It is anticipated that it will continue to serve areas around the Lake. Mr. Hall stated it might be feasible to put things where they belong and that is the comment he heard in his area.

Mr. Fulgenzi asked if any of the other areas plan to build new facilities and have rate increases in their future. He stated he felt the article he read in the State Journal Register was the most disingenuous rate chart he has ever seen. It took their rates as of 10 years and compared them with everyone else's rates from this year. It seems they were not comparing apples to apples and it was not very good investigative reporting. Mr. Humphrey explained that they did make contacts to get rate information, but did not delve into what they might have out there. Mr. Fulgenzi asked when they have to comply and what the E.P.A. says. Mr. Humphrey stated that the E.P.A. says they will have a Fall approval on this. Once the facility plan is approved they will be given the construction permits, which is for Spring Creek.

Chairman VanMeter asked when they prepared the slide show they presented tonight. Mrs. Crites stated that they prepared this for the public presentation in March in case the public had come for the meetings. Mr. VanMeter asked who prepared the impressive glossy brochures. Mr. Humphrey stated they were prepared by Crawford,

Murphy & Tilly's staff. Mrs. Crites explained that they also prepared this for the March meeting. Mr. VanMeter asked who prepared the posters. Mr. Humphrey stated that those were prepared at his request for this evening to allow the Board to see it and not have to wait for the slide show. Mr. VanMeter asked if they prepared all of these things and spent money at the taxpayer's expense for these brochures and slide show.

Mr. Humphrey stated they did. Mr. VanMeter asked why they would spend money for this if they did not want the public to know about the rate increase. Mr. Humphrey stated that this was not their intention. They also did spend money for the handout and just wanted to get the information out and have it available. Mr. VanMeter asked when the Sanitary Board will be meeting again. Mr. Humphrey stated they would be meeting again tomorrow at 5:00 p.m. for a special public meeting.

RESOLUTION 1

1. Resolution approving a Federal Aid Agreement for a bridge replacement on Old Jacksonville Road (County Highway 8).

A motion was made by Mr. Montalbano, seconded by Mr. Stephens, for the adoption of Resolution 1. Upon a roll call vote, there were 23 Yeas – 0 Nays.

MOTION CARRIED
RESOLUTION ADOPTED

RESOLUTIONS 2 - 6

2. Resolution approving a Federal Aid Agreement for a road improvement on East Lake Shore Drive (County Highway 43).

A motion was made by Mr. Montalbano, seconded by Mrs. Dillman, for the adoption of Resolution 2. A motion was made by Mr. Bunch, seconded by Mr. Smith, for the consolidation of Resolutions 2 – 6. Chairman VanMeter asked the Clerk to read Resolutions 3 – 6.

3. Resolution approving a 4-year lease to purchase six utility tractors for mowing crews.
4. Resolution approving the purchase of one tandem axle and one single axle dump truck.
5. Resolution approving bids for township bituminous material needs.
6. Resolution approving an altered speed zone on Roby Road (County Highway 19).

A voice vote was unanimous on the consolidation. A motion was made by Mr. Goleman, seconded by Mr. Fraase, that the roll call vote for Resolution 1 stand as the roll call vote for Resolutions 2 – 6, as consolidated. A voice vote was unanimous.

MOTIONS CARRIED
RESOLUTIONS ADOPTED

RESOLUTION 7

7. 2008-14 – Culver Fancy Prairie Coop Co., 2148 W. State Rt. 29, Athens – Granting a Conditional Permitted Use. County Board Member – Mike Sullivan, District #11.

A motion was made by Mr. Moore, seconded by Mr. Stephens, for the adoption of Resolution 7. 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 on the motion to adopt Resolution 7.

MOTIONS CARRIED
RESOLUTION ADOPTED

RESOLUTION 8

8. 2008-16 – James and Susan Hynes, 5696 Taylor Homestead Road, Pleasant Plains – Granting a Variance. County Board Member – Tom Fraase, District #1.

A motion was made by Mr. Fraase, seconded by Mr. O'Neill, for the adoption of Resolution 8. A motion was made by Mr. Moore to waive the reading of the professional staff's report. There were no objections. A voice vote carried on the motion to adopt Resolution 8. Mr. Goleman, Mr. Moss, Mr. Buecker, and Mr. Hall voted no.

MOTIONS CARRIED
RESOLUTION ADOPTED

RESOLUTION 9

9. 2008-17 – Helen & David Faulk, 1294 East State Route 124, Athens – Granting a Variance. County Board Member – Mike Sullivan, District #11

A motion was made by Mr. Sullivan, seconded by Mr. Buecker, for the adoption of Resolution 9. A motion was made by Mr. Moore to waive the reading of the professional staff's report. There were no objections.

Chairman VanMeter stated that he does have an interest in the acquirer of this property and takes no position on the Resolution.

A voice vote was unanimous on the motion to adopt Resolution 9.

MOTIONS CARRIED
RESOLUTION ADOPTED

RESOLUTION 10

10. 2008-18 – David Peecher, 7721 Roberts Road, New Berlin, Granting Variances. County Board Member – Tom Fraase, District #1.

A motion was made by Mr. Fraase, seconded by Mr. O’Neill, for the adoption of Resolution 10. 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 on the motion to adopt Resolution 10.

MOTIONS CARRIED
RESOLUTION ADOPTED

RESOLUTION 11

11. 2008-20 – Tom Crouch, 10720 North Street, Waverly – Granting a Rezoning. County Board Member – Craig Hall, District #7.

A motion was made by Mr. Hall, seconded by Mr. Forsyth, for the adoption of Resolution 11. 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 on the motion to adopt Resolution 11.

MOTIONS CARRIED
RESOLUTION ADOPTED

RESOLUTION 12

12. 2008-21 – Ramiro Maldonado, 10,001 Palm Road, Glenarm – Granting a Use Variance and Variance. County Board Member – Don Stephens, District #5.

A motion was made by Mr. Stephens, seconded by Mr. Tjelmeland, for the adoption of Resolution 12. Chairman VanMeter asked the professional staff to give the procedural history of the case.

Norm Sims, professional staff, stated that the petitioner is requesting a use variance to allow automobile sales (antique cars limited to 25 cars outdoors), an antique

car museum, mini storage units, and a variance to allow the lot depth to exceed 2 ½ times the lot width for two parcels.

Randy Armstrong, professional staff, stated that this case is on Palm Road South of the Chatham exit off of I-55. The petitioner wants to re-divide the property for two businesses.

Mr. Sims stated that the staff recommends denial of the requested use variance. Allowing a commercial use in this agricultural area is not seen as appropriate. They also recommend denial of the requested variance. There are no unique circumstances noted on the property and the standards for variation are not met. Mr. Armstrong stated that the Zoning Board of Appeals recommends approval. They felt the use variance and variance were appropriate since the property is adjacent to a business and I-55, and the other use variances have been granted in the area. The Board recommends denial of the use variance for the mini-warehouses.

Clint Knight, residing at 1233 S. Broad Street in Carlinville, addressed the Board. He explained that he will have a car museum plus sales and everything will be very nice.

Mr. Stephens asked the petitioner if he recently had a conversation with the one individual who had an issue with this and made an agreement to add a fence to this. Mr. Knight stated that he did. Mr. Stephens requested that an amendment be made to the variance to include the fence on the north side of the property that would extend from the easement to the rear of the building.

Jim Grohne, Assistant State's Attorney, asked if there would be any height to the fence or any manner or any material to which it is to be constructed. Mr. Stephens stated that they are not detailing that so it could be a chain link fence or privacy fence. They just want a fence separating the two properties and hope individuals going to this facility will learn to use the proper driveway and not use the other driveway.

Chairman VanMeter asked the petitioner if it would inconvenience him if they did not act on this petition this evening and wait until next month. Mr. Knight stated that it would not inconvenience him. Mr. Grohne explained that without the specifications he mentioned, if someone were to complain six months down the road that the fence is not adequate, there would be no standards for enforcement. They need to know what to ask to enforce if it should come to that.

A motion was made by Mr. Stephens, seconded by Mr. Stumpf, to Table Resolution 12 until next month. A voice vote was unanimous.

Chairman VanMeter explained that these amendments should try to be made ahead of time so the professional staff can draft them up and they can move smoothly through the matters at hand.

**MOTIONS CARRIED
RESOLUTION TABLED**

RESOLUTIONS 13 – 16

13. Resolution allowing the Springfield-Sangamon County Regional Planning Commission to enter into a professional services contract with LSA Associates, Inc.

A motion was made by Mr. Moore, seconded by Mr. Goleman, for the adoption of Resolution 13. A motion was made by Mr. Bunch, seconded by Mr. O'Neill, to consolidate Resolutions 13 – 16. Chairman VanMeter asked the Clerk to read Resolutions 14 – 16.

14. Resolution approving the final plat of the Clark Minor Subdivision.
15. Resolution approving the transfer of the IMRF Authorized Agent from Paul Palazzolo to Ryan McCrady.
16. Resolution approving the purchase of vehicles by the Sheriff's Office.

A voice vote was unanimous on the consolidation. A motion was made by Mr. Goleman, seconded by Mr. Moore, that the roll call vote for Resolution 1 stand as the roll call vote for Resolutions 13 – 16, as consolidated. A voice vote was unanimous.

MOTIONS CARRIED
RESOLUTIONS ADOPTED

WAIVER OF TEN-DAY FILING PERIOD

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

MOTION CARRIED
TEN-DAY FILING PERIOD WAIVED

RESOLUTION 17

17. Resolution authorizing Sangamon County to participate in the State of Illinois Federal Surplus Property Program.

A motion was made by Mr. Moore, seconded by Mr. Snell, for the adoption of Resolution 17. A voice vote was unanimous.

MOTION CARRIED
RESOLUTION ADOPTED

OLD BUSINESS

There was no old business.

NEW BUSINESS

A. Resolutions

There were no new resolutions.

B. Appointments

There were no appointments.

C. Approval of the Public Health Department's Environmental Labor Contract

A motion was made by Mr. Sullivan, seconded by Mr. Bunch, Mr. Moss, and Mr. Fraase to ratify the contract. A voice vote was unanimous.

MOTIONS CARRIED
CONTRACT RATIFIED

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

RECESS

A motion was made by Mr. Bunch, seconded by Mrs. Long, to recess the meeting to May 13, 2008 at 7:00 p.m. A voice vote was unanimous.

MOTION CARRIED
MEETING RECESSED