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MINUTES

SANGAMON COUNTY BOARD

MARCH 11, 2008

The Sangamon County Board met in Reconvened Adjourned September Session on March 11, 2008 in the County Board Chambers. Chairman VanMeter called the meeting to order at 7:00 p.m. Mr. Montalbano gave the Invocation and Mr. Smith 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. Goleman and Mr. Kamper were excused.

PROCLAMATIONS

Mrs. Musgrave presented a Proclamation to the Rochester High School Girls' Basketball Team for their successful season and their 31-4 record. The team and coaches were present to accept the honor.

MINUTES

A motion was made by Mr. Bunch, seconded by Mrs. Long, for approval of the Minutes of February 13, 2008. A voice vote was unanimous.

MOTION CARRIED
MINUTES ADOPTED

CORRESPONDENCE

A motion was made by Mrs. Long, seconded by Mr. Bunch, to place the Correspondence on file with the County Clerk. There was no Correspondence to file.

RESOLUTION 1

1. Resolution approving the low bids for township bituminous material needs.

A motion was made by Mr. Montalbano to withdraw Resolution 1. Without objection Resolution 1 is withdrawn.

MOTION CARRIED
RESOLUTION WITHDRAWN

RESOLUTION 2

2. Resolution approving a bridge petition from Clear Lake Township for a bridge replacement on Oak Crest Road.

A motion was made by Mr. Montalbano, seconded by Mr. Tjelmeland, for the adoption of Resolution 2. Upon a roll call vote, there were 26 Yeas – 0 Nays.

MOTION CARRIED
RESOLUTION ADOPTED

RESOLUTION 3

3. 2008-09 – Illinois State Police Heritage Foundation, 4000 Peoria Road, Springfield – Granting a Rezoning. County Board Member – Jim Good, District #8.

A motion was made by Mr. Good, seconded by Mrs. Fulgenzi, for the adoption of Resolution 3. 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 3.

MOTIONS CARRIED
RESOLUTION ADOPTED

RESOLUTION 4

4. 2008-10 – Donald M. Pease, 30 Mayhue, Riverton – Granting a Variance. County Board Member – Jim Good, District #8.

A motion was made by Mrs. Dillman, seconded by Mr. Good, for the adoption of Resolution 4. 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 4.

MOTIONS CARRIED
RESOLUTION ADOPTED

RESOLUTION 5

5. 2008-11 – Rhonda Skaggs, 1301 E. Knox, Springfield – Granting a Variance. County Board Member – Clyde Bunch, District #21.

A motion was made by Mr. Bunch, seconded by Mr. Moss, for the adoption of Resolution 5. 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 5.

MOTIONS CARRIED
RESOLUTION ADOPTED

RESOLUTION 6

6. 2008-12 – Keith & Pam Spaniol, 4900 Turkey Run Road, Sherman – Granting a Variance. County Board Member – Todd Smith, District #2.

A motion was made by Mr. Smith, seconded by Mr. Buecker, for the adoption of Resolution 6. 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 6.

MOTIONS CARRIED
RESOLUTION ADOPTED

A motion was made by Mrs. Long, seconded by Mrs. Turner, to proceed out of the regular order of business to Old Business to discuss the Tabled Resolutions. A voice vote was unanimous.

OLD BUSINESS

- A. Resolution 6 – Tabled 2/13/08
2008-01 – Kaye & Marvin Barrett, 12001 Ackerman Road, Virden – Granting a Conditional Permitted Use. County Board Member – Craig Hall, District #7.

A motion was made by Mr. Hall, seconded by Mr. Forsyth, to take Resolution 6 from the Table. A voice vote was unanimous. Mr. Hall explained that after speaking with the property owner they have agreed on an amendment to the Resolution.

A motion was made by Mr. Hall, seconded by Mrs. Long, to amend Resolution 6 to limit the kennel to no more than 40 dogs. A voice vote was unanimous on the amendment.

A voice vote was unanimous on the motion to adopt Resolution 6, as amended.

**MOTIONS CARRIED
RESOLUTION ADOPTED**

- B. Resolution 7 – Tabled 2/13/08
2008-02 – Mary Beard, 20 Starnes Addition, Springfield – Denying a Variance. County Board Member – Rosemarie Long, District #10.

A motion was made by Mrs. Long, seconded by Mr. Stephens, to take Resolution 7 from the Table. A voice vote was unanimous. A motion was made by Mrs. Long to withdraw Resolution 7. There were no objections.

**MOTIONS CARRIED
RESOLUTION WITHDRAWN**

- C. Resolution 11 – Tabled 2/13/08
2008-06 – Homefield Builders, Inc., 781 Gabriel Rd., Springfield – Granting an amendment and variance. County Board Member – Sarah Musgrave, District #9.

A motion was made by Mrs. Musgrave, seconded by Mrs. Dillman, to take Resolution 11 from the Table. A voice vote was unanimous. Chairman VanMeter asked the professional staff to give the procedural history of the case.

Norm Sims stated that the petitioner is requesting a rezoning from “A” to “R-1” single family residence district with a variance to allow the lot depth to exceed 2 ½ times the lot width for 6 lots. The petitioner wants to subdivide the property.

Randy Armstrong stated that the case is on Gabriel Road, 2 ½ miles east of Springfield, just north of Polo Club Estates and west of West View Park Subdivision.

Mr. Sims stated that the professional staff recommends approval of the “R-1” zoning. The Land Evaluation and Site Assessment score of 145 indicates the property is deemed acceptable for non-agricultural development. With the adjacent residential zoning and residential development, “R-1” zoning is appropriate at this location. The staff recommends approval of the requested variance and the standards for variation are met. The petitioner has proposed creating a subdivision with 15 lots on 30 of the 51 acres

with the remainder left in open space. The plan includes a cul-de-sac resulting in several of the lots not meeting the lot width/depth ratio.

A floodplain is located in the northwest corner of the proposed development and will be contained within the approximately 21 acres of open space. Mr. Armstrong stated the Zoning Board of Appeals concurs with the staff report and recommends approval.

Dave Stubblefield, petitioner, residing at 3912 Maple Shade Court in Springfield, addressed the Board. He explained this does meet the requirements set forth by the County as far as being rezoned residential from agricultural. It scored favorably for being developed, and is adjacent to two other existing developments. He explained that he plans to do everything he can to make it a very livable subdivision everyone can be proud of.

Reinee Hildebrandt, opponent, residing at 644 Gabriel Road in Springfield, addressed the Board. She explained that they did provide the County Board with a packet of information showing first hand experience living on this land and they have given everyone an opportunity to ask questions. She stated they have summarized all the information and will provide the County with an official copy for the record. They have looked at the substantial environmental issues, the soil and water limitations, and the basic human needs. There are significant natural resources in this area. There is a high water table and the soil saturation level is very low in this area. This is a land between three rivers, which is a unique part of Sangamon County. Sugar Creek is coming down flooding them from the reservoir in Springfield and the Sangamon River is coming down with Decatur opening the flood gates towards them, and there is the South fork of the Sangamon River, which flows backward and forward.

Mrs. Hildebrandt also explained that they are concerned about the water resources. Mr. Stubblefield does not have access to the water at this point and the Land Evaluation gave him a zero for that rating, but it should have been higher and considered marginal for development as opposed to open for development. There is no water on that property and there is no system. She stated that there is a system for their property that they pay for through their contract with the City of Dawson. The issues they listed were not identified or adequately addressed at the neighborhood association meeting nor do they feel there is a genuine concern from other officials through their conversations. She stated that they feel their concerns have not been given the full credence they deserve.

Mrs. Hildebrandt explained that people think they are going to get a lot that is livable when land is going through a process like it is going through now. She stated that they came here tonight and were told they already lost the decision. They still feel Mr. Stubblefield should be required to adhere to the drainage and planning commission laws. He should bear the entire financial burden of his development and not rely on the resources of existing neighbors to make his fortune in this development. He should pay for his own water infrastructure, and they should not have to pay for that. Also, there should be no obstructions in the drainage area for the drainage of this very extremely wet area. If Mr. Stubblefield intends to be a good neighbor then he should not impact those

he claims he wants to live within this community. His actions should be that of a good community citizen and should not be at the cost of the citizens.

Mrs. Musgrave asked the professional staff to explain what Mr. Stubblefield would still have to go through after tonight. Norm Sims explained he would still be going through the land subdivision process, which has four detailed reviews.

He would need to go through the location sketch map review, preliminary plan review, construction plan review, and the final plat review. It would then come back to County Board for final approval.

Mr. Moore asked Jim Stone about the concerns with the cluster system which is the system for the treatment of waste. Mr. Stone, Director of Public Health, explained that they would need prior approval from Public Health for whatever system they use and it will be regulated by them.

Mr. Moore asked how the restrictive covenant enforcement works after they have gone through this process. Mr. Stone explained that the subdivision covenant does not fall under the Health Department. They would enforce anything like sewage or wells. Mr. Sims explained that it is his understanding if the joint parties agree to allow the County to enforce it then they could, otherwise it would be a civil matter.

Mr. Moore explained that the County Board is responsible for zoning the property and they do not control the water district or do not control whether the school district is impacted. These are all concerns they carry into every zoning issue before this Board, but those issues must be controlled by the governing bodies for those districts.

Mrs. Hildebrandt stated that this decision is irreversible and this development cannot be changed back to agricultural land. Mr. Stubblefield has publicly said he is going to take the pond out of this area and put it into a drainage system that is in defiance of the Illinois Department of Natural Resources. He has also said he is going to take the grassy drainage way, which is a very sound conservation measure, and is going to put a lot on it and move the drainage area over. She encouraged Mr. Stubblefield not to sell the lots with high water tables. She asked him to be a good business person and a good neighbor and take into consideration the fact that this land has character and has a lot of meaning to them.

Mr. Fulgenzi stated that his brother-in-law lived across the street from this area and he knows it does have a high water table out there. This entire area has a high water table and there are a lot of houses. Basically what they do is accommodate the housing for the high water table. He stated that he does not see where high water tables completely restrict building because you can accommodate for them. The high water table does not have a bearing on this zoning.

Mr. Moore asked Mr. Stone to clarify what the cluster system is. Mr. Stone explained that it is a small community sewage treatment system the home owners would

have to buy into as part of purchasing their lot and their dues would go towards annual maintenance of that system. Mr. Moore asked if this is a septic system. Mr. Stone stated that it is.

Mr. Snell stated that he thinks it is appropriate for the Board to grant the “R-1”, and this is marginal farm ground at best.

Mrs. Musgrave asked for a roll call vote on the motion to adopt Resolution 11. There were no objections. Upon the roll call vote, there were 23 Yeas – 3 Nays. Those voting nay were: Mr. Mendenhall, Mrs. Musgrave, and Mrs. Turner.

MOTIONS CARRIED
RESOLUTION ADOPTED

RESOLUTION 7

7. Resolution approving the creation of a Property Tax System Task Force and Fund.

A motion was made by Mr. Buecker, seconded by Mr. Preckwinkle for the adoption of Resolution 7. A voice vote was unanimous.

MOTION CARRIED
RESOLUTION ADOPTED

RESOLUTION 8

8. Resolution approving a list of mitigation projects for inclusion in the Sangamon County Multi-Jurisdictional Natural Hazards Mitigation Plan.

A motion was made by Mrs. Fulgenzi, seconded by Mr. Davsko, for the adoption of Resolution 8. A voice vote was unanimous.

MOTION CARRIED
RESOLUTION 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

RESOLUTION 9

9. Resolution approving the purchase of equipment by the Sangamon County Sheriff's Office.

A motion was made by Mr. Buecker, seconded by Mrs. Douglas Williams, for the adoption of Resolution 9. A voice vote was unanimous.

MOTION CARRIED
RESOLUTION ADOPTED

NEW BUSINESS

- A. Resolutions

There were no new resolutions.

- B. Appointments

There were no appointments.

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. Long, seconded by Mrs. Turner, to recess the meeting to Wednesday, April 9, 2008 at 7:00 p.m. A voice vote was unanimous.

MOTION CARRIED
MEETING RECESSED