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MINUTES

SANGAMON COUNTY BOARD

DECEMBER 9, 2014

The Sangamon County Board met in Reconvened Adjourned September Session on December 9, 2014 in the County Board Chambers. Chairman Van Meter called the meeting to order at 7:00 p.m. The Color Guard gave a presentation of the colors. Mr. Sullivan gave the Invocation and Mrs. Scaife led the County Board in the Pledge of Allegiance. Chairman Van Meter stated there would be a brief presentation by the Leader of the Color Guard. Bob Coles stated he is with Chapter 159 of the Military Order of the Purple Heart. Several months ago he approached Board Member Linda Fulgenzi, and thanks to her Sangamon County is now a Purple Heart County. They are here tonight to present them with a flag, which is one of the criteria for being a Purple Heart County. The flag shows the name of their chapter along with the Purple Heart emblem which has George Washington's likeness with Military Order of the Purple Heart at the bottom. Their chapter is also involved with putting a Purple Heart Memorial out at Oak Ridge Cemetery. They totaled up the amount they raised so far, and they are about \$2,800 short. He thinks if each of the board members would write a check for \$150 they will be there. He thanked them for making Sangamon County a Purple Heart County.

NOMINATION AND APPOINTMENT OF TEMPORARY CHAIRMAN

A motion was made by Mr. Tjelmeland, seconded by Mr. Ratts, to nominate and appoint Sam Montalbano as Temporary Chairman. A voice vote was unanimous.

APPOINTMENT AND REPORT OF CREDENTIALS COMMITTEE

Chairman Montalbano appointed Mr. Fraase, Mr. Hall, Mr. O'Neill, Mr. Fulgenzi and Mr. Tjelmeland to the Credentials Committee. He asked the Credentials Committee to leave the chambers to go over the credentials of the elected members. The committee rejoined the meeting. Mr. Fraase stated that all the credentials are in order.

SWEARING IN OF NEWLY ELECTED COUNTY BOARD MEMBERS

Judge Madonia swore in all the newly elected County Board members. Those taking their oath of office were: Todd Smith, David Mendenhall, Pam Deppe, Sam Snell, Jim Good, Tom Madonia, Jr., Tim Krell, Greg Stumpf, Linda Douglas Williams, Clyde Bunch, Anthony DelGiorno, Andy Van Meter, Abe Forsyth and Cathy Scaife.

ROLL CALL

Chairman Van Meter asked the County Clerk to call the roll. There were 25 Present – 4 Absent. Mrs. Fulgenzi, Mr. Goleman, Mr. Preckwinkle and Mrs. Small were excused.

NOMINATION AND APPOINTMENT OF CHAIRMAN

A motion was made by Mr. Fraase, seconded by Mr. Krell, to nominate and appoint Andy Van Meter as County Board Chairman. A voice vote was unanimous. A motion was made by Mr. Bunch for the appointment to be made by acclamation. A voice vote was unanimous.

NOMINATION AND APPOINTMENT OF VICE-CHAIRMAN

A motion was made by Mr. O’Neill, seconded by Mr. Fulgenzi, to nominate and appoint Sam Montalbano as County Board Vice-Chairman. A voice vote was unanimous. A motion was made by Mr. Bunch for the appointment to be made by acclamation. A voice vote was unanimous.

PROCLAMATION

Mr. Snell read and presented a Proclamation to Sarah Musgrave recognizing her tenure on the County Board and her dedication and loyalty to the residents of District 9. Mrs. Musgrave accepted the Proclamation and thanked the County Board. She stated this is an evening of mixed emotions for her. She is excited to spend more time with her family, but she is really going to miss the County Board. The last 12 years have been quite an adventure with many interesting times and a lifelong learning experience. This wasn’t an easy decision for her, but she decided her focus and energy needs to be on her family. She has met so many wonderful friends and constituents. She appreciates Chairman Van Meter’s leadership. She especially thanked her family including her parents, who are here tonight, for their unwavering love, support and encouragement from day one. She also thanked her husband Jason and daughter Julia for the times they have been understanding and patient on her many times away with County Board commitments. She also thanked the residents of District 9 for their confidence in her over the last 12 years by electing her four times to the County Board. She looks forward to spending time with her family, and she thanked everyone for their friendship over the years. She appreciates the experience she has been given over the last 12 years.

Chairman Van Meter stated that over Sarah's tenure she served as the "whip" of the Sangamon County Board. That means the person who goes and collects the money from all the members for all their various charitable activities. She has done it with grace, and they really appreciate the efforts she has made. Sangamon County and this board are so fortunate to have such a wonderful mix of new and old residents. Many members on this board have long standing families in this community. If you look back on the history of this county you will see names such as Fraase and Mendenhall going far back in this county. There are other members of this board that have similar families who have served this county over many generations. Sarah is one such board member. Chairman Van Meter stated he has been asked by Sarah's family to present her with a patriotic emblem of the seal of Sangamon County and State of Illinois that was presented to Carroll Bowersock who served on the Sangamon County Board of School Trustees from 1966 to 1980. This was presented to him by Irv Smith, the Regional School Superintendent. Mr. Bowersock is Sarah's grandfather. Chairman Van Meter stated Sarah's family wanted him to present this keepsake to her as a family tradition of service to this county.

Mr. Montalbano and Mr. Bunch presented gifts from the County Board to Lou Robisch and County Administrator Brian McFadden for all the work they do for the County Board.

MINUTES

A motion was made by Mr. Montalbano, seconded by Mr. Bunch, for approval of the minutes of November 12, 2014. A voice vote was unanimous.

MOTION CARRIED
MINUTES ADOPTED

CORRESPONDENCE

A motion was made by Mr. Bunch, seconded by Mr. Montalbano, to place correspondence on file with the County Clerk. A voice vote was unanimous. There was none filed.

RESOLUTION 1

1. Resolution approving the low bids for aggregate for the annual maintenance of county highways.

A motion was made by Mr. Fraase, seconded by Mr. Mendenhall, to place Resolution 1 on the floor. Upon a roll call vote, there were 24 Yeas – 0 Nays.

MOTION CARRIED
RESOLUTION ADOPTED

RESOLUTIONS 2 – 4

2. Resolution appropriating motor fuel tax funds for IMRF expenses.

A motion was made by Mr. Fraase, seconded by Mr. Sullivan, to place Resolution 2 on the floor. A motion was made by Mr. Bunch, seconded by Mr. Smith, to consolidate Resolutions 2 – 4. Chairman Van Meter asked the County Clerk to read Resolutions 3 and 4.

3. Resolution appropriating motor fuel tax funds for the County Engineer’s salary and expenses.
4. Resolution approving an agreement between Sangamon County and the Illinois Department of Transportation to transfer surface transportation program funds for state funds.

A voice vote was unanimous on the consolidation. A voice vote was unanimous for the adoption of Resolutions 2 – 4, as consolidated.

MOTIONS CARRIED

RESOLUTIONS ADOPTED

RESOLUTION 5

5. 2014-035 – Doug Schmidgall, 5626 North Walnut Street Road, Springfield – Granting Variances and a Conditional Permitted Use. County Board Member – Mike Sullivan, District #11.

A motion was made by Mr. Sullivan, seconded by Mr. Krell, to place Resolution 5 on the floor. Chairman Van Meter asked the professional staff to give the procedural history of the case.

Cyndi Knowles, professional staff, stated the petitioner is requesting a variance to allow two principal uses on one parcel, a variance to allow zero feet of road frontage instead of the required 150 feet, a variance to allow for an off-premise sign and a conditional permitted use to allow an outdoor gun range in conjunction with firearm safety classes and occasional sales of firearms.

Molly Berns, professional staff, stated that staff recommends approval of the requested conditional permitted use to allow an outdoor gun range, to the extent that providing a location for gun safety classes is a community benefit. The remote nature of the subject property is suited to the proposed use and protects the health, safety and welfare of area residents. The petition states that there will be one 16-hour class each month which will cover 2 to 3 days per month. Furthermore, the petition states that students will be shooting to the south into the Sangamon River Valley at designated targets, and the bluff the students will be shooting from has a 90-foot drop. There is a distance of 5,000 feet before the land begins an uphill grade of approximately 90 feet. They recommend approval of the requested variances, and the standards for variation are met. The subject property is already a landlocked parcel of record with zero feet of road frontage.

The signage is for directional purposes, which is justified given the remote location of the proposed use. If the variance is granted, staff recommends the sign not exceed the size and height of the current sign.

Cyndi Knowles stated the Zoning Board of Appeals concurs with the staff recommendation and recommends approval of the variance to allow two principal uses on one parcel, a variance to allow zero feet of road frontage instead of the 150 feet, a variance to allow an off-premise sign and a conditional permitted use to allow an outdoor gun range in conjunction with firearm safety classes and occasional sales of firearms. Zoning Board of Appeals member John Lucchesi stated "So to further maybe clarify the occasional sale of firearms, my intent was to permit the gun range to be able to allow someone to test a gun on the range if they are wanting to do so if it has been purchased through the petitioner's gun sale home occupation, which I already understood would be permitted".

Matthew Cate, Attorney with Barber, Segatto, present on behalf of Doug Schmidgall, addressed the County Board. They are in complete agreement with the recommendations from the staff. They believe Doug has an area there that is perfect for this type of gun range. The slope and area of land this will be conducted are perfect for outdoor shooting. The slope is downward for safety. The ground in question is soft ground, so any bullets will end up in soft ground if they miss a target. There are no homes that are placed in any type of danger. The only home in that area is Doug's home. They would simply like to open themselves up to any questions the board members may have. His understanding from Jerry Tice, who is representing the opponents, is if the County Board adopts the proposed recommendation then the objectors will be withdrawing their objection.

Jerry Tice, representative for the objectors, addressed the County Board. He was provided with the recommendation early this afternoon from the Planning Commission and Zoning Board of Appeals with respect to Mr. Schmidgall's petition. He has been told they have this in their packets. If this recommendation is adopted as it is written currently in their packets then they would withdraw their objections. He did discuss this with the objectors late this afternoon. It is conditional upon this being adopted as it is so written. Basically, what they were concerned with was the conditions imposed upon the use of the gun range. They had concerns about the sale of hand guns. They discussed that situation as it pertains to the current zoning ordinance. In order to resolve this matter in an expeditious manner, they have agreed to withdraw their objections to the occasional sale of firearms. The conditions they were concerned about were regarding the conditional permitted use to allow an outdoor gun range with all shooting to the south. As you recall, the objectors run to the north of this tract. This was the reason for requesting that the condition be put into this conditional permitted use. The gun range is to be used in conjunction with firearm safety classes for no more than 16 hours for 2 to 3 days per month. As long as their motion to approve contains those conditions, then the objections are withdrawn. This matter could then proceed, and Mr. Schmidgall can proceed expeditiously with his activities.

Mr. Ratts asked if the owners adjacent to the north live in Sangamon County. Mr. Tice stated they do not. They have a tenant who farms, owns and runs the cattle to the north. They had some problems with it, and that is the reason for the condition. That condition of shooting to the south was a condition discussed in the first Zoning Board of Appeals hearing. There were questions raised about that, and Mr. Schmidgall said all shooting would be to the south. So, there really is no dispute about that condition being put into the conditional permitted use.

Mr. Cate gave his rebuttal. He clarified that his client has spoken to Greg Bell, the tenant, and he is not in opposition to this. He is the actual person who has stake in this more than anyone because it is his cattle. He does not have an objection to this. The only part that Mr. Tice did not mention is "and occasional sales of firearms be approved". Often when someone purchases a firearm they will want to shoot it or test it out, and that would be in conjunction with the gun range.

Mr. Krell asked if the shooting to the south is limited to the gun range. He asked if Mr. Schmidgall wanted to have hunters on his property during hunting season if they would have availability all over the property. Dwayne Gab, Assistant State's Attorney, explained this would be a restriction on the use of the gun range itself and not on the property. The answer is yes, a hunter not using the firing range would be able to hunt on the property. If he set up the firing range towards the north then that would be in violation of the conditions.

Chairman Van Meter asked for a vote on the question. A voice vote was unanimous on the motion to adopt Resolution 5.

MOTION CARRIED
RESOLUTION ADOPTED

RESOLUTION 6

6. 2014-045 – the Estate of Helen A. Nickelson, Paul Nickelson, Executor, and Lois Irwin, 1048 & 1060 N. Bradfordton Road, Springfield – Denying an Amendment and granting Amendments and Variances. County Board Member – Harry "Tom" Fraase, Jr., District #1.

A motion was made by Mr. Fraase, seconded by Mr. DelGiorno, to place Resolution 6 on the floor. A motion was made by Mr. Stumpf to waive the reading of the professional staff's report. There were no objections. A voice vote was unanimous for the adoption of Resolution 6.

MOTIONS CARRIED
RESOLUTION ADOPTED

RESOLUTION 7

7. 2014-046 – Joseph S. Pickrell, 15495 Old Route 36, Buffalo – Granting Variances. County Board Member – David Mendenhall, District #3.

A motion was made by Mr. Mendenhall, seconded by Mrs. Deppe, to place Resolution 7 on the floor. A motion was made by Mr. Stumpf to waive the reading of the professional staff's report. There were no objections. A voice vote was unanimous for the adoption of Resolution 7.

MOTIONS CARRIED
RESOLUTION ADOPTED

RESOLUTIONS 8 - 11

8. Resolution approving the purchase of vehicles by the Sheriff's Office.

A motion was made by Mr. Tjelmeland, seconded by Mr. Hall, to place Resolution 8 on the floor. A motion was made by Mr. Tjelmeland, seconded by Mr. Montalbano and Mr. Bunch, to amend Resolution 8. Mr. Tjelmeland stated they are amending Resolution 8 to remove Landmark Ford as the vendor for one Chevrolet Tahoe and replace it with Miles Chevrolet of Decatur. A voice vote was unanimous on the amendment. A motion was made by Mr. Bunch, seconded by Mr. Smith, to consolidate Resolutions 8 – 11. Chairman Van Meter asked the County Clerk to read Resolutions 9, 10 and 11.

9. Resolution approving updated AT&T contracts.
10. Resolution approving a contract extension with Fidar Technologies for the Recorder's Office.
11. Resolution approving the Tax Levies for Fiscal Year from December 1, 2014 through November 30, 2015.

A voice vote was unanimous on the consolidation. A motion was made by Mr. Montalbano, seconded by Mr. Bunch, that the roll call vote for Resolution 1 stand as the roll call vote for Resolutions 8 – 11, as consolidated and amended. A voice vote was unanimous.

MOTIONS CARRIED
RESOLUTIONS ADOPTED

WAIVER OF TEN-DAY FILING PERIOD

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

MOTION CARRIED
TEN-DAY FILING PERIOD WAIVED

RESOLUTIONS 12 – 16

12. Resolution approving a contract with Encore Unlimited, LLC for comprehensive medical case management services.

A motion was made by Mr. Krell, seconded by Mr. Forsyth, to place Resolution 12 on the floor. A motion was made by Mr. Bunch, seconded by Mr. Madonia, to consolidate Resolutions 12 – 16. Chairman Van Meter asked the County Clerk to read Resolutions 13, 14, 15 and 16.

13. Resolution authorizing the Circuit Court to enter into a contract with Westlaw for legal research in the amounts of \$532.07 for FY15, \$542.71 for FY16 and \$553.56 for FY17.

14. Resolution authorizing the Circuit Court to enter into a contract with Westlaw for legal research in the amounts of \$3,541.20 for FY15, \$3,576.61 for FY16 and \$3,612.37 for FY17.

15. Resolution establishing the Springfield/Sangamon County Enterprise Zone.

16. Resolution approving the financing of vehicles by the Sheriff's Office.

A voice vote was unanimous on the consolidation. A motion was made by Mr. Smith, seconded by Mr. Mendenhall and Mr. O'Neill, to amend Resolution 15 and the Intergovernmental Agreement. Mr. Smith presented a copy of the amended documents to the County Clerk as Exhibit A. Mr. Smith explained after original submittal of the resolution and agreement, there were some legal issues discussed between counsels of both parties to the agreement that needed corrected. That was done today. These amendments correct some governance issues to abide by state law. Chairman Van Meter asked if these amendments were reviewed by the Finance Committee. Mr. Smith stated they did go to Finance Committee first. A voice vote was unanimous on the amendments. A motion was made by Mr. Bunch, seconded by Mr. Montalbano, that the roll call vote for Resolution 1 stand as the roll call vote for Resolutions 12 – 16, as consolidated and amended. A voice vote was unanimous.

MOTIONS CARRIED

RESOLUTIONS ADOPTED

OLD BUSINESS

Mr. Stumpf acknowledged and thanked Lou Robisch, on behalf of the County Board, for all the work she does for the County Board Office.

NEW BUSINESS

A. Resolutions

There were no new resolutions.

B. Appointments

Appointment of Andy Goleman to the Sangamon County Board of Health for a term expiring December, 2015.

Appointment of Frank Coble, D.V.M., to the Citizens Advisory Board on Animal Control for a term expiring January, 2016.

Appointment of Gary Minder to the Citizens Advisory Board on Animal Control for a term expiring January, 2016.

Appointment of Allen Entwistle to the Citizens Advisory Board on Animal Control for a term expiring January, 2016.

Appointment of Kay Morris to the Citizens Advisory Board on Animal Control for a term expiring January, 2016.

Appointment of Sarah Moore to the Citizens Advisory Board on Animal Control for a term expiring January, 2016.

Appointment of Tim Griffin to the Citizens Advisory Board on Animal Control for a term expiring January, 2016.

Appointment of Kenneth Winslow to the Citizens Advisory Board on Animal Control for a term expiring January, 2016.

Appointment of Dan Parrish to the Citizens Advisory Board on Animal Control for a term expiring January, 2016.

Appointment of Lisa Hills to the Citizens Advisory Board on Animal Control for a term expiring January, 2016.

Appointment of Clyde Bunch to the Citizens Advisory Board on Animal Control for a term expiring January, 2016.

Appointment of Sam Snell to the Citizens Advisory Board on Animal Control for a term expiring January, 2016.

A motion was made by Mr. Montalbano, seconded by Mr. Bunch, for approval of the appointments. A voice vote was unanimous. The nominations for appointment were also submitted.

**MOTION CARRIED
APPOINTMENTS ADOPTED**

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

A motion was made by Mr. Montalbano, seconded by Mr. Bunch, to place the reports on file with the County Clerk. A voice vote was unanimous.

MOTION CARRIED
REPORTS FILED

RECESS

A motion was made by Mr. Bunch, seconded by Mr. Montalbano, to recess the meeting to January 13, 2015 at 7:00 p.m. A voice vote was unanimous.

MOTION CARRIED
MEETING RECESSED

Joe Aiello
Sangamon County Clerk