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MINUTES

SANGAMON COUNTY BOARD

FEBRUARY 7, 2017

The Sangamon County Board met in Reconvened Adjourned September Session on February 7, 2017 in the County Board Chambers. Chairman Van Meter called the meeting to order at 7:00 p.m. Pastor Shaun Lewis gave the Invocation and Mr. O’Neill led the County Board in the Pledge of Allegiance.

ROLL CALL

Chairman Van Meter asked County Clerk Gray to call the roll. There were 28 Present – 1 Absent. Mrs. Williams was excused.

PRESENTATIONS

Director of Public Health Jim Stone gave a brief presentation on the fly dumping and open burning issues in Sangamon County. He handed out a spreadsheet on his presentation. He addressed the issue of fly dumping in Sangamon County. In the past there were a number of dumping and open burning complaints, but those numbers have really started to drop significantly. They had 1,024 random dump complaints back in 1996. He would like to think their aggressive approach to this by going out and opening up garbage bags, pulling out trash with people’s names on them, going to track them down, fining them, getting them to change their behavior or getting them to use the landfill or other appropriate waste sources has started to make a big difference. He is sure the township road commissioner’s deal with this as well. There is a free disposal program they have as part of the Landfill Host Agreement established in 2003. As part of that they have 8,000 tons of free disposal available, with 5,000 of that delegated to the City of Springfield, 2,000 to Sangamon County and 1,000 to Springfield Township. On the report you will see there were 7,979 tons used last year, so that left 20 tons on the table. The Public Health Committee delegated them to be able to move tonnage around so they maximize it and use all they can.

What might be of particular interest is the breakdown, by township, of the number of tons utilized in the program. He knows Sherman has multiple townships, so some of those township road commissioners will get the free disposal coupons from them and use them for things such as a village cleanup. They have already sent out letters this year and handed out free disposal coupons to around 50% of the township road commissioner's so far. The program seems to be working well. This year they sent out some information asking for contact information, their leads, and for anything else they can do to help the program improve. This, along with the enforcement tool, has helped lower the amount of dumping they are seeing. If there is a particular problem in someone's area they really would like to hear about it. It can be hard to track someone down, but they will do whatever they can to follow up and address any problems. There is also the recycling program. One of the items on the Agenda tonight is a contract with Walter S. Willis, Environmental Consultant. He actually helped negotiate the original host agreement back in 2003. He has been in this industry for close to 25 years or longer. The input he can give them on the update they are going to do this year will be very valuable for them. They have really not had a true recycling program going on since the economy went in the tank back in 2009. The landscapes changed, community needs changed and some ordinances have changed. It is really important for them to get that total community picture so they can best assess the right way to use the scarce funds they do have to ramp and charge up the recycling program again.

Chairman Van Meter recalled that Springfield Township is very cooperative with them in using their part of 8,000 tons, and are very generous in letting Sangamon County use it as well. Mr. Stone agreed they are very generous. They have gotten to the point where they are utilizing more and more each year because they have taken a very aggressive approach towards some of the dangerous buildings in their area. Some of the coupons can go towards the demolition debris that actually goes to the landfill.

Mr. Bunch stated this doesn't mention anything about the weed program, which brought in hundreds of thousands of dollars when he was at the City. Solid waste is not only a problem in Sangamon County, but weeds are too. Mr. Stone explained that it is the property owner's responsibilities to clean it up. In some circumstances they have been able to use some community service workers to help with those. There was one in Auburn, The Lost Caboose, where they used some community service workers. The property owner is responsible for their property, but there are times when they are the victim. If they can find the individuals responsible for it, then they use any funding they have when necessary, or they make them go out and clean it up themselves. Mr. Bunch explained in 1990 to 1995 he was averaging around \$210,000 to \$215,000 in fines, which was way more than their budget for the City. He gets all kinds of calls about weeds, but the County Public Health Department no longer has a weed department like the City had. He asked how they will cope with that. Mr. Stone explained the weeds are actually part of the Property Maintenance Code. When they merged with the City of Springfield the City wished to maintain that as part of the merger. So, enforcement of the Building Code and Property Maintenance stayed under the Housing Department at the City. Those kinds of weed complaints in Capital Township or the City of Springfield can still be called into the City at 753-2187.

Chairman of the Citizen's Efficiency Commission Mike Murphy addressed the County Board and gave an update on the projects the commission is doing. First of all, he thanked the County Board for putting the two non-binding referendums on the ballot in November. They passed overwhelmingly with a 75% vote. They are working with the RLC to continue supporting them to make them a stronger organization than what they already are. The second one was in regards to tax collectors. They are currently working with the General Assembly to get them to have a bill passed that will abolish tax collectors in Sangamon County. Some other things they are currently working on are they are beginning to look at a study to look into cooperation between policing in the County municipalities and the City of Springfield. They are also just beginning to look into the medical district's progress, or lack thereof. They are the very first in the State of Illinois to start with a Citizen's Efficiency Commission, but there are others beginning to start throughout the state.

MINUTES

A motion was made by Ms. Sheehan, seconded by Mr. Bunch, for approval of the minutes of January 10, 2017. A voice vote was unanimous.

MOTION CARRIED
MINUTES ADOPTED

CORRESPONDENCE

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

RESOLUTION 1

1. Resolution approving the low bids for the county's aggregate supply contracts.

A motion was made by Mr. Fraase, seconded by Mr. Ratts, to place Resolution 1 on the floor. Chairman Van Meter asked County Clerk Gray to call the roll. Upon the roll call vote, there were 27 Yeas – 0 Nays for the adoption of Resolution 1.

MOTION CARRIED
RESOLUTION ADOPTED

RESOLUTIONS 2 – 3

2. Resolution approving the low bids for the township aggregate supply contracts.

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

3. Resolution approving the purchase of two tandem snow plows from the State of Illinois Joint Purchasing Contract.

A voice vote was unanimous on the consolidation. A motion was made by Mr. O’Neill, seconded by Mrs. Ruzic that the roll call vote for Resolution 1 stands as the roll call vote for Resolutions 2 and 3, as consolidated. A voice vote was unanimous.

MOTIONS CARRIED
RESOLUTIONS ADOPTED

RESOLUTION 4

4. 2017-001 – Jeffrey & Pamela Leka, 409 & 413 N. Wesley Street, Springfield – Denying a Use Variance and Variances. County Board Member – Rose Ruzic, District #18.

A motion was made by Mrs. Ruzic, seconded by Mr. Thomas, to place Resolution 4 on the floor. A motion was made by Mr. Stumpf to waive the reading of the professional staff’s report. There were no objections. Chairman Van Meter asked for a roll call vote on Resolution 4. Upon the roll call vote, there were 0 Yeas – 27 Nays. The Planning Commission and Zoning Board of Appeals recommendation was overturned. Resolution 4 written to deny a use variance and variances was approved to grant a use variance and variances.

MOTIONS CARRIED
RESOLUTION ADOPTED

RESOLUTION 5

5. 2017-002 – Peter & Terri Barnosky, 10499 Old Rt. 54, New Berlin – Granting a Rezoning. County Board Member – Craig Hall, District #7.

A motion was made by Mr. Hall, seconded by Mrs. Annette Fulgenzi, to place Resolution 5 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 5.

MOTIONS CARRIED
RESOLUTION ADOPTED

RESOLUTION 6

6. 2017-003 – John Wilson, in the 5000 block of Williamsville Road, Sherman – Granting a Rezoning. County Board Member – Lori Williams, District #8.

A motion was made by Mr. Smith, seconded by Mrs. Small, 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. 2017-004 – Chun D. Hu & Yi Lu, 2936 S. MacArthur Blvd., Springfield – Denying a Conditional Permitted Use and Variances. County Board Member – Lisa Hills, District #23.

A motion was made by Mrs. Hills, 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. Resolution 7 is adopted and the conditional permitted use and variances are denied.

MOTIONS CARRIED
RESOLUTION ADOPTED

RESOLUTION 8

8. 2017-005 – William & Christie Rincker, 14670 Nave Road, Mechanicsburg – Denying a Use Variance. County Board Member – David Mendenhall, District #3.

A motion was made by Mr. Mendenhall, seconded by Mr. DelGiorno, to place Resolution 8 on the floor. Chairman Van Meter asked the professional staff to give the procedural history of the case.

Zoning Administrator Trustin Harrison stated the petitioners request to replace the existing use variance, for petition #2015-047, which grants the following uses: a single-family residence, a dog kennel limited to no more than 20 dogs boarded or kenneled at any time with proof of adequate waste disposal, and a horse boarding/breeding business with the following: a single-family residence, dog agility training classes, dog herding training classes, and dog agility trials.

Steve Keenan from Regional Planning gave the Planning Commission's recommendation. They recommend denial of the requested amendment to the use variance. The previous zoning case #2015-047 granted a use variance to allow three uses: a single-family residence, a dog kennel limited to no more than 20 dogs boarded/kenneled at a given time with proof of adequate waste disposal, and a horse boarding/breeding business. The petitioner is requesting to replace the current use variance with the proposed uses of: (1) a single-family residence, (2) dog agility and dog herding training classes, and (3) dog agility trials. While the petitioner self-imposes limitations on the number of cars (exhibitors/judges) who will be in attendance at the dog agility trials, these estimates do not consider additional traffic counts related to any spectators who may attend the event. Such additional traffic would further increase the intensity of the uses.

The petitioner did not provide evidence related to how the limitations on the number of cars would be monitored by the owners and the mechanism by which the petitioners would ensure that the self-imposed traffic limitations were not exceeded for both the dog agility trials and the training classes. Nave Road is narrow with steep shoulders making it difficult for cars to meet safely. Staff has concerns that additional traffic generated on the subject property could impair access of emergency vehicles to properties to the east.

Mr. Harrison stated that the Zoning Board of Appeals concurs with the staff recommendations.

Petitioner William Rincker, residing at 14670 Nave Road in Mechanicsburg, addressed the County Board. He explained that he and his wife are asking for a variance to allow seven dog agility trials per year, and dog classes three to four days a week. They will consist of three to four dogs per class. The big concern they ran into with the Zoning Board was the current condition of Nave Road and the amount of traffic traveling on that road. Currently they are zoned for a 20 dog kennel and horse boarding facility. They could possibly have 20 vehicles traveling on Nave Road for 365 days per year. This isn't even including the horse boarding traffic, the agriculture vehicles and normal everyday traffic. They are asking for a variance that would allow for less traffic on the road for these dog agility trainings.

Attorney Daniel Hamilton with Brown, Hay & Stephens addressed the County Board and is representing Cooper Township where this property is located. Cooper Township requests that this board deny the proposed use variance for the same reasons the township opposed these intensive uses when the petitioners first came to the board last year. The township agrees with staff and ZBA conclusions that this is an inappropriate use for this particular spot. The township has no problem with dog training and dog agility classes and competitions. The problem is where the petitioners want to have the competitions take place. The proposed uses are too intense for the infrastructure in place. Nave Road is very narrow. School buses won't go down it, and the township trucks have to back out of it straight because there is not enough room to turn around. The road simply isn't sufficient for this use and an increased use. The petitioner's point that they could potentially be reducing traffic is not accurate. Right now they are not utilizing the variances they have at their disposal. This will, in fact, increase traffic.

Mike Benz, residing at 14688 Nave Road in Mechanicsburg, addressed the County Board. He stated that he is present with other neighbors. Last year the Rincker's were granted a variance to run a dog kennel with up to 20 dogs. The petitioner's claim this variance would allow them to run a doggie daycare, allowing 20 cars up and down the road in the morning and then again at night. They don't think allowing that amount of traffic on Nave Road was Sangamon County's intent. They feel this was just a way to manipulate traffic numbers to justify the approval of their newest petition. They would also like to see this variance rescinded if it equates to this amount of traffic on the road. The Rincker's have already stated they have not and do not intend to use it.

Mr. Rincker gave his rebuttal. He stated they searched on line in Sangamon County through all of the doggie daycare or dog boarding facilities. They all offer the doggie daycare. They have not proceeded with that because they just built an agriculture building for riding horses that has up to five stalls right now. It has horses in it, and they also put cows and other things in there. His wife does her own agility training there. They haven't started setting up a doggie daycare or dog boarding facility quite yet. That takes time and money. He does believe that most of these facilities are pretty much full all the time, so that would increase the traffic on Nave Road.

Chairman Van Meter stated Mr. Rincker was here before with some controversy, and the County Board took some time try to work out an adequate solution. At the conclusion of that the board asked if the solution was adequate and you indicated it was. He asked Mr. Rincker why he is here again. Mr. Rincker stated they were asked and told afterwards that they should still proceed with this if they really want it. He's a teacher and if he tells his kids to quit at the first snow that is not going to work. That is not going to work in life. So, they are coming back and asking for a variance again. These dog agilities will actually have less traffic than what a doggie daycare or a dog boarding facility would have. If you drive by most of them, they are full. This allows his wife to be a stay-at-home mother, which is something just about every parent dreams of. He can't quit. What he says to his students and athletes that he coaches is to "never ever quit", so that is why they are here.

Attorney Hamilton gave his rebuttal. He emphasized that the use at this particular location is not appropriate. The relevant factors, as determined by the Zoning Board of Appeals, determined that it was inappropriate. The Zoning Board of Appeals and staff have determined that denial is appropriate in this particular circumstance. The township simply asks that the County Board codify that decision.

Chairman Van Meter asked for a roll call vote. Upon the roll call vote, there were 27 Yeas – 0 Nays. Resolution 8 written "to deny a use variance" was adopted and the use variance is denied.

Chairman Van Meter stated he speaks for most of the board in saying there is great sympathy for these entrepreneurs and the project they want to develop, but there is a long-standing concept in government that when you try to reach a compromise agreeable to all parties, that you try to stick with that compromise. Those in levels of government above them would do good to adhere to that general rule. He is very proud to see that this board does stick to that rule.

MOTIONS CARRIED
RESOLUTION ADOPTED

RESOLUTIONS 9 - 11

9. Resolution amending Section 5.04 of the Sangamon County Liquor Code.

A motion was made by Mrs. Hills, seconded by Mr. Snell, to place Resolution 9 on the floor. A motion was made by Mr. Bunch, seconded by Mrs. Scaife, to consolidate Resolutions 9 – 11. Chairman Van Meter asked County Clerk Gray to read Resolutions 10 and 11.

- 10. Resolution approving a contract with Environmental Control Solutions, Inc. and Building and Grounds for the Sangamon County Building.
- 11. Resolution authorizing the Office of Emergency Management to enter into a contract for a commodity flow study of hazardous materials with American Environmental Corporation.

A voice vote was unanimous on the consolidation. A motion was made by Mr. O’Neill, seconded by Mr. Mendenhall that the roll call vote for Resolution 1 stands as the roll call vote for Resolutions 9 – 11, as consolidated. A voice vote carried. Mr. Hall voted no on Resolution 9 because he thinks exemptions should be placed for fraternal organizations, such as Knights of Columbus and V.F.W.’s, because it is hard to get people to join and be involved in those organizations.

MOTIONS CARRIED
RESOLUTIONS ADOPTED

WAIVER OF TEN-DAY FILING PERIOD

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

MOTION CARRIED
TEN-DAY FILING PERIOD WAIVED

RESOLUTIONS 12 - 13

- 12. Resolution approving a contract with Walter S. Willis, Environmental Consultant, to assist with the updating of the Sangamon County Solid Waste Plan.

A motion was made by Mr. Stumpf, seconded by Mr. Miller, to place Resolution 12 on the floor. A motion was made by Mr. Bunch, seconded by Mr. Madonia, to consolidate Resolutions 12 – 13. Chairman Van Meter asked County Clerk Gray to read Resolution 13.

- 13. 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. O’Neill, seconded by Mr. Smith that the roll call vote for Resolution 1 stands as the roll call vote for Resolutions 12 and 13, as consolidated. A voice vote was unanimous.

MOTIONS CARRIED
RESOLUTIONS ADOPTED

OLD BUSINESS

There was no old business.

NEW BUSINESS

A. Resolutions

There were no new resolutions.

B. Appointments

Appointment of Karen Hasara to the Sangamon Mass Transit District for a term expiring February 2022.

Appointment of Jennifer Ludwig to the Sangamon County Board of Health for a term expiring February, 2020.

Appointment of Larry Hamlin to the Springfield-Sangamon County Regional Planning Commission for a term expiring February, 2021.

Appointment of Rev. Eric Hansen to the Springfield-Sangamon County Regional Planning Commission for a term expiring February, 2021.

Appointment of Earlesa Branham to the Sangamon County Workforce Investment Board for a term expiring February, 2019.

Appointment of Carole Grigiski to the Sangamon County Deputy Merit Commission for a term expiring January, 2019.

Appointment of Tom Fraase to the Sangamon County Board of Managers.

A motion was made by Ms. Sheehan, seconded by Mr. Bunch, for approval of the appointments. A voice vote was unanimous.

MOTION CARRIED
APPOINTMENTS ADOPTED

The nominations for appointment in March were also submitted.

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

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

MOTION CARRIED
REPORTS FILED

RECESS

A motion was made by Ms. Sheehan, seconded by Mr. Bunch, to recess the meeting to March 14, 2017 at 7:00 p.m. A voice vote was unanimous.

MOTION CARRIED
MEETING RECESSED

Don Gray
Sangamon County Clerk