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## **MINUTES**

### **SANGAMON COUNTY BOARD**

**OCTOBER 9, 2012**

The Sangamon County Board met in Reconvened Adjourned September Session on October 9, 2012 in the County Board Chambers. Chairman Van Meter called the meeting to order at 7:00 p.m. Mr. Moore gave the Invocation and Mr. Ratts led the Board in the Pledge of Allegiance.

### **ROLL CALL**

Chairman Van Meter asked the County Clerk to call the roll. There were 25 Present – 4 Absent. Ms. Dillman, Mr. Good, Mr. O'Neill and Mr. Snell were excused.

### **JEFF VOSE-REGIONAL OFFICE OF EDUCATION ANNUAL REPORT**

Jeff Vose, Regional Superintendent of Schools, addressed the Board to present his annual report. He handed out a report to the board. He stated it is required by law before January 1<sup>st</sup> of every year that he gives a written report to the County Board. His office went through some difficult times in 2011 when they were unpaid for approximately 4 ½ months. He has put together a brief overview of what his office does.

Mr. Vose stated that he has over 41 staff members including full-time and part-time employees. Six of the employees are Sangamon County employees and the rest are grant funded. They rent office space and have two schools at the Capital Area Career Center. They have teacher and administrator professional development and house special education and school improvement consultants that work with the schools. They have over 80 students in two different programs. The first program is the Sangamon County Learning Academy, which is a truant alternative program. The other program is the Safe School Program, which is for non-traditional students that have severe behavioral issues and may have been expelled from their district school. This gives them a last chance to get an education.

Mr. Vose reviewed some of the mandates of programs and services that are provided by his office for Sangamon County constituents. There is the truant program, GED's, registering substitute teachers, criminal background checks of all personnel, bus driver training, school building inspections, school improvement, and compliance visits with each district.

Mr. Vose also reviewed some of the revenue sources for his office. He reviewed a chart, which shows that 7.6% of their funding comes from Sangamon County. They receive 7.4% from the State of Illinois. The remaining 85% comes from grant programs.

He explained that the GED test will be going from \$50 for a paper/pencil test to \$120 for an electronic test. He stated they would also like to put a testing center in their office.

He explained to the County Board that a detailed financial audit of the office will be coming to them by email. Regional Offices of Education need to consolidate based upon a law that was passed by the General Assembly and Governor. They must reduce from 44 regional offices to 35. In the past, to be a regional office they needed 43,000 citizens. They are well above that mark at about 198,000. Now to be a regional office you need to have 61,000 citizens. There are six different areas in the state. He is the area Chairman for West Central Illinois. In that area there are 10 regional offices, and he has to cut five of those. There are many counties that want to come this way. Menard County sent him a letter in late August pleading that he takes them as opposed to going somewhere else. He stated that he has had preliminary discussions with Andy and Brian and a few others, and they are looking into that. He is concerned that if the Illinois Association of Regional School Superintendents does not come together and consolidate these offices and work with County Boards by July 1, 2013 to resolve this issue, the Illinois State Board of Education will resolve it for them.

Mr. Vose expressed his appreciation for the support he has received.

Mr. Montalbano asked what happens with the kids that are really bad with truancy. Mr. Vose explained they have a Truancy Review Board that works in conjunction with the State's Attorney's office. The Juvenile Criminal Justice System has discouraged incarcerating any students unless they have criminal background issues.

Mr. Fraase asked for clarification of the cost for the GED on line. Mr. Vose stated that it went from \$35 in 2009-2010 to \$50. Now they are pushing the electronic test that will be \$120. He expressed his concerns that people can barely afford the test now. Sharmin with Community Resources, and some other agencies, have approached him to offer help so those individuals have the opportunity to take the test. They also need accommodations for people who have special needs and learning disabilities because they won't be able to take it on line. One reason they would like to have the testing center in his office is to accommodate these people.

Chairman Van Meter stated that their conversations have been the most advanced with Menard County regarding consolidation. He asked Mr. Vose if he has been in contact with all of the counties and is open to talking with all of them. Mr. Vose stated that he has. If the door was open they would probably have about six different counties that would like to merge with them. Chairman Van Meter clarified that they are not narrowing their conversations at this point, and are still open to conversations with everybody although they may not be able to accommodate everybody. They are just more advanced in their conversations with Menard County at this point.

Mr. Goleman asked who decides where the counties will go. Mr. Vose stated there are two options. There is a voluntary process where they could go through the Regional School Board of Trustees. However, the most feasible option would be for the counties to come with the recommendations from the educational units. Those here in this room will have to make the decision if two counties are going to come together and if it's in the best interest of the county.

Mr. Ratts asked if the background checks include checks on bus drivers and monitors. Mr. Vose stated they have just expanded to that with approval through the State Police. They were previously going through a private company for background checks. They are now qualified to do them. Chairman Van Meter asked how many people have been disqualified as a result of their background checks. Mr. Vose stated that they have a list in his office of offenses which could disqualify you from being a teacher or teacher's aide. They have to send their list to the Illinois State Board of Education, who has a stack of thousands that they review to make sure it is appropriate for these individuals to be in a classroom or drive a bus.

### **MINUTES**

A motion was made by Mr. Montalbano, seconded by Mr. Bunch, for approval of the minutes of September 6, 2012. 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 no correspondence to file.

### **RESOLUTION 1**

1. Resolution establishing an altered speed zone on Oak Lane Road in Clear Lake Township.

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

MOTION CARRIED  
RESOLUTION ADOPTED

## **RESOLUTION 2**

2. 2012-29 – Malibu Development, 1832 Adlai Stevenson Drive, Springfield – Granting a Variance. County Board Member – Joel Tjelmeland, District #14.

A motion was made by Mr. Tjelmeland, seconded by Mrs. Musgrave, to place Resolution 2 on the floor. 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 for the adoption of Resolution 2. Mr. Hall, Mr. Montalbano and Mr. Stumpf voted no.

MOTIONS CARRIED  
RESOLUTION ADOPTED

## **RESOLUTION 3**

3. 2012-39 – Joseph Chernis, 2348 Sandhill Rd., Springfield – Granting a Rezoning. County Board Member – Jim Good, District #8.

A motion was made by Mr. Smith, seconded by Mrs. Davsko, to place Resolution 3 on the floor. 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 for the adoption of Resolution 3.

MOTIONS CARRIED  
RESOLUTION ADOPTED

## **RESOLUTION 4**

4. 2012-40 – Charles Curtis Strode, 5937 Ash Street, Rochester – Granting a Rezoning. County Board Member – David Mendenhall, District #3.

A motion was made by Mr. Mendenhall, seconded by Mr. Maslauski, to place Resolution 4 on the floor. 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 for the adoption of Resolution 4.

MOTIONS CARRIED  
RESOLUTION ADOPTED

## **RESOLUTION 5**

5. 2012-41 – Michael & Susan Detweiler, 1141 Buffalo-Mechanicsburg Rd., Dawson – Granting a Rezoning and Variances. County Board Member – David Mendenhall, District #3.

A motion was made by Mr. Mendenhall, seconded by Mrs. Fulgenzi, to place Resolution 5 on the floor. 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 for the adoption of Resolution 5.

MOTIONS CARRIED  
RESOLUTION ADOPTED

### **RESOLUTION 6**

6. 2012-43 – Arthur Shulte, 912 N. Edmond, Springfield – Denying a Rezoning. County Board Member – Rose Ruzic, District #19.

A motion was made by Mrs. Ruzic, seconded by Mr. Ratts, to place Resolution 6 on the floor. Mr. Goleman stated that it is his understanding there was an objection letter filed. He asked if this was filed in the proper manner. Dewayne Gab, Assistant State's Attorney, stated that it would have no effect in regard to the number of votes required for passage. A simple majority vote is required. 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 for the adoption of Resolution 6. Resolution 6 is adopted and the rezoning is denied.

MOTIONS CARRIED  
RESOLUTION ADOPTED

### **OLD BUSINESS**

A motion was made by Mr. Moore, seconded by Mr. Bunch and Mr. Montalbano, to go out of the regular order of business and proceed to Old Business and take from the table Resolution 1, which was tabled on September 6, 2012. A voice vote was unanimous.

- B. Resolution 1 – Tabled 9/6/12  
2012-36 – Jennifer Brennan & Terral W. Jones, 6008 Stagecoach Road, Pleasant Plains- Granting a Rezoning and Variance. County Board Member – Harry "Tom" Fraase, Jr., District #1.

Chairman Van Meter asked the professional staff to give the procedural history of the case. Cyndi Knowles, professional staff, stated that the petitioners are requesting a rezoning from "A" Agricultural District to "R-1" Single-Family Residence District for proposed Lot 1 to allow for construction of a single-family residence and a variance of proposed Lot 2 to allow one parcel less than 40 acres. Molly Berns, professional staff, stated that the professional staff recommends approval of the requested "R-1" zoning for Parcel 1. The land evaluation and site assessment score of 155 indicates the property is considered marginal requiring mitigating factors for non-agricultural development. Given the size of the parcel and its current state, it is highly unlikely that the property will be converted to cropland. The staff recommends approval of the requested variance for Parcel 2.

There does not appear to be any anticipated negative impacts in allowing the requested division of the property. The standards for variation are met. Mrs. Knowles stated that the Zoning Board of Appeals concurs with the staff recommendation for approval of the rezoning and variance.

Alex Rabin, attorney at 1119 S. 6<sup>th</sup> Street in Springfield, addressed the Board. He stated that he is representing the petitioner. They would be breaking up a pretty large parcel over about 5 ½ acres. There would be one lot that is 3.14 acres and the other would be 2.34 acres. Jennifer Brennan had all the engineering studies done and had the proper plat prepared. This is a piece of property she co-owns with her step mother or mother-in-law. They are dividing the property so she can someday build her own house on her own lot. He does not think she plans to do anything in the near future. She is not raising any cattle and doesn't have any animals out there.

Dan Nelson, husband of Jennifer Brennan, addressed the Board. This is a matter of joint tenancy. Jennifer and her step mother Terral are already owners of the boundary property. She purchased the property with the estate money from her father to create a family farm. She then sprinkled her father's ashes on the portion of the parcel they wanted separated. This essentially splits it down the middle. Since the time that the initial transaction took place there have been family issues. They have agreed this would be an amicable way to solve the problem without going anywhere for judicial review and for a minimal cost. They hope this will stay in the family as they originally wished and that they could become good neighbors.

Donald Davis, 6363 Stagecoach Road, Pleasant Plains, addressed the Board. He stated that the issue is with the neighbors who are contiguous to this property. The problem is with the neighbors getting enough water because they are on water wells. The obvious issue is the one acre minimum standard for lots out there in the country that should be abiding by the 40 acre rules. They are not served by any kind of water system. They need more of a buffer and more space. No one has done any real detailed geological study of this, and it needs to be done. Otherwise, when they split the property, they will be creating one terrible problem for the existing neighbors. They should try to make sure the basics are there and that the basics aren't taken away from the people who barely have the basics. He does not believe splitting parcels and freestanding residential is compatible with natural resource conservation. He is also concerned about the Lincoln Trail since this property is on the trail. There has been some talk about doing historic preservation of significant facilities, and this one certainly qualifies.

Mr. Moore asked the professional staff to explain how the water factored into the LESA score that was given on this property and how it affects the neighboring properties availability to water. Mrs. Berns explained that there are two ways in which the water issue is handled. First of all, it looks to see if there is public water available on site. The LESA score was scored appropriately and showed there was no public water available on site. The second thing factored in through the formula is the type of soil on the particular site and whether or not it is permeable for water and the likelihood of getting water supply. It goes into the formula. They pull up, from the GIS system, the soils in the immediate area as well as the soil contents on the particular parcel. They factor that in with a mathematical formula which creates the ultimate LESA score.

Mr. Moore asked if there is adequate water there to service two households. Mrs. Berns stated they would not have knowledge of that because there has been no hydrology report done. That would be something the Department of Public Health would look at. Mr. Moore asked if they would need to have this done prior to building a new home there. Mrs. Berns stated that if they do not have availability of onsite public water and sewer before a building permit is issued, then those issues would be handled by the Department of Public Health.

Mr. Krell asked Mr. Davis if he had to haul water this year with the drought. Mr. Davis stated that he is not directly affected, but the people who live right next to it on the left have been hauling water for quite some time. The people behind them have some cattle and a pond that they use, but they also haul water from time to time for their cattle. These are fairly limited wells. They all haul water almost every year.

Mr. Goleman asked Mr. Davis if he has property right by this property. Mr. Davis stated that he is not contiguous to them. He stated that he is helping the neighbors who are going to be affected. Mr. Goleman asked why those neighbors are not here talking about it. Mr. Davis stated that he does not know, but they are well aware of this. Mr. Goleman asked Mr. Davis if he has a well on his property. Mr. Davis stated that he is on the Pleasant Plains water system. Mr. Goleman asked if he is just here representing the neighbors who are not present. Mr. Davis stated that he is, and he is also concerned about protecting the natural resources and the future viability of the Lincoln Trail.

Mr. Goleman asked the petitioner if their intention is to split this off and not to build a house there. Mr. Rabin explained that she may build a house there someday. Mr. Goleman asked if she would have to go through the property permit process to assure a viable water supply before building a house. Mr. Rabin stated that is his understanding.

Mr. Mendenhall asked if they intend to run livestock on the property, which would continue to be a drain on that property. Mr. Rabin stated that they do not.

Mr. Sausaman asked if there is water available to them from the Pleasant Plains water supply. Mr. Rabin stated that they hope there is water available by the time she builds.

Mr. Rabin gave his rebuttal. He respectfully requested they approve the petition for rezoning. Jennifer has done a pretty good job getting the engineers to do all the plats and preliminary reports. Regional Planning recommended it and found that the standards for a variance were met.

Mr. Davis gave his rebuttal. He stated that there has been livestock on this property. The Pleasant Plains water district is 1/16 of a mile from the property. Curran Gardner water is 1.1 miles from the property. They should take a broader view of this. There is a broad context of what is compatible land use and what is a potential important historic preservation resource here.

Chairman Van Meter asked for a roll call vote on the adoption of Resolution 1.

Upon the roll call vote, there were 23 Yeas – 1 Nay. Mr. Fraase voted no. Resolution 1 written to grant a rezoning and variance was adopted.

MOTIONS CARRIED  
RESOLUTION ADOPTED

**RESOLUTIONS 7 – 8**

7. Resolution to approve the execution of a contract between the Lakota Group and the Springfield-Sangamon County Regional Planning Commission.

A motion was made by Mr. Moore, seconded by Mrs. Douglas Williams, to place Resolution 7 on the floor. A motion was made by Mr. Bunch, seconded by Mr. Smith, to consolidate Resolutions 7 and 8. Chairman Van Meter asked the Clerk to read Resolution 8.

8. Resolution allowing Sangamon County to enter into a contract with Evans Construction Company to complete work at the Animal Control Center.

A voice vote was unanimous on the consolidation. A motion was made by Mr. Goleman, seconded by Mr. Forsyth, that the roll call vote for Resolution 1 stand as the roll call vote for Resolutions 7 – 8, as consolidated. A voice vote was unanimous.

MOTIONS CARRIED  
RESOLUTIONS ADOPTED

**WAIVER OF TEN-DAY FILING PERIOD**

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

MOTION CARRIED  
TEN-DAY FILING PERIOD WAIVED

**RESOLUTION 9**

9. Resolution approving an agreement with the State of Illinois to review grade crossing plans.

A motion was made by Mr. Fraase, seconded by Mr. Goleman, to place Resolution 9 on the floor. A motion was made by Mr. Goleman, seconded by Mr. Stephens, that the roll call vote for Resolution 1 stand as the roll call vote for Resolution 9. A voice vote was unanimous.

MOTIONS CARRIED  
RESOLUTION ADOPTED

**NEW BUSINESS**

A. Resolutions

There were no new resolutions.

B. Appointments

Appointment of C. Richard Coon to the Sangamon County Emergency Telephone System Board for a term to expire September, 2013.

Appointment of Mike Midiri, Jr. to the Sangamon County Emergency Telephone System Board for a term to expire September, 2013.

Appointment of Joseph Powell to the Sangamon County Emergency Telephone System Board for a term to expire September, 2013.

Appointment of Alfred Swettman to the Sangamon County Emergency Telephone System Board for a term to expire September, 2013.

Appointment of Richard Rentschler to the Sangamon County Emergency Telephone System Board for a term to expire September, 2013.

Appointment of Bill Russell to the Sangamon County Emergency Telephone System Board for a term to expire September, 2013.

Appointment of Robert Williams to the Sangamon County Emergency Telephone System Board for a term to expire September, 2013.

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

**MOTION CARRIED  
APPOINTMENTS ADOPTED**

C. Approval of the 2013 Holiday Schedule

A motion was made by Mr. Bunch, seconded by Mr. Montalbano, for approval of the 2013 holiday schedule. A voice vote was unanimous.

**MOTION CARRIED  
HOLIDAY SCHEDULE ADOPTED**

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

A motion was made by Mr. Montalbano, seconded by Mr. Bunch, to place the Committee Report on Claims 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 November 13, 2012 at 7:00 p.m. A voice vote was unanimous.

MOTION CARRIED  
MEETING RECESSED