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## **MINUTES**

### **SANGAMON COUNTY BOARD**

**SEPTEMBER 13, 2011**

The Sangamon County Board met in Regular Statutory Session on September 13, 2011 in the County Board Chambers. Chairman VanMeter called the meeting to order at 6:30 p.m. Mr. Moore gave the Invocation and Mr. Ratts led the Board in the Pledge of Allegiance.

### **ROLL CALL**

Chairman VanMeter asked the County Clerk to call the roll. There were 28 Present – 1 Absent. Mr. Tjelmeland was excused.

A motion was made by Mr. Stumpf to proceed out of the regular order of business and come back to the proclamation when the honoree is present. There were no objections.

## **MINUTES**

A motion was made by Mr. Montalbano, seconded by Mr. Bunch, for approval of the minutes of August 9, 2011. 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 approving a federal aid agreement for a bridge replacement on Prairie School Road (County Highway 48).

A motion was made by Mr. Fraase, seconded by Mr. Smith, to place Resolution 1 on the floor. Upon a roll call vote, there were 27 Yeas – 0 Nays.

MOTIONS CARRIED  
RESOLUTION ADOPTED

**RESOLUTION 2**

2. Resolution approving a federal aid agreement for a bridge replacement on Buckhart Road (County Highway 4).

A motion was made by Mr. Fraase, seconded by Mr. Mendenhall, to place Resolution 2 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 2. A voice vote was unanimous.

MOTIONS CARRIED  
RESOLUTION ADOPTED

A motion was made by Mr. Montalbano, seconded by Mr. Bunch, to go out of the regular order of business and proceed to Resolution 8 to accommodate members of the public. There were no objections.

**RESOLUTION 8**

8. Resolution approving a contract with the Circuit Clerk and CDW Government for hardware and services.

A motion was made by Ms. Dillman, seconded by Mr. Forsyth, to place Resolution 8 on the floor. A motion was made by Mr. Goleman that the roll call vote for Resolution 1 stand as the roll call vote for Resolution 8. A voice vote was unanimous.

MOTIONS CARRIED  
RESOLUTION ADOPTED

**RESOLUTION 9**

9. Resolution approving an intergovernmental agreement with the City of Springfield for the procurement of medical case management services.

A motion was made by Mr. Ratts, seconded by Mr. Snell, to place Resolution 9 on the floor. A motion was made by Mr. Goleman, seconded by Mr. Montalbano, 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

**RESOLUTION 10**

## 10. Resolution amending the Recycling Ordinance, Title 8 of the Sangamon County Code.

A motion was made by Mr. Boyster, seconded by Ms. Dillman, to place Resolution 10 on the floor.

Mr. Stumpf stated that Mr. Boyster and Ms. Dillman came to the Solid Waste Committee a couple months back and were working on this project along with Brian McFadden, County Administrator and a couple of City Alderman. Since then, the City of Springfield has passed this because they had one scrap dealer in Springfield. The rest reside in the county or townships. At the very first meeting, the County Board wanted to speak with the scrap dealers, who then came in and spoke with them. They have heard from them, the Alderman, County Board members and have also had the State's Attorney's office and Sheriff's offices speak regarding this resolution. He pointed out areas in the resolution representing changes from the County's current scrap ordinance. Current state law will be infused into this resolution. Mr. Stumpf asked a representative from the Sheriff's office to speak regarding this.

Jack Campbell, with the Sheriff's office, addressed the Board. He stated that earlier today they sent a letter to the County Board seeking their support for this ordinance. Part of that letter outlines previous meetings with the committee in regard to the number of scrap metal thefts the Sheriff's office has reported. Earlier they reported eight thefts between January and June, 2011, but after they checked all files including criminal damage and burglary files, they realized there were actually 30 reports. The problem is much greater than what they even realized it was. This ordinance is not going to fix everything, but it does provide law enforcement another weapon in their fight against people that are going to steal these items, cause all this criminal damage and create more victims throughout the county. As the price of scrap metal continues to rise, it is going to leave more and more people in its wake. They do know it is going to be inconvenient for some of the operators and could have some minor costs. Many laws and ordinances cause this. One analogy he used was with the methamphetamine problem and how hard it is to get Sudafed now. They had to create laws and inconveniences for people to protect the masses. This ordinance will give them and the State's Attorney's office another weapon to arrest these people and to prosecute them. Since he has been around the Sheriff's office, the County Board has always done the right thing, and in Sheriff Williamson's opinion passing this ordinance would be the right thing.

Mr. Bunch stated that in 2005 this Board unanimously passed this same resolution, except for Item F. He does not know why there is double legislation on this when they can just amend the 2005 resolution and add to it. Chairman VanMeter explained that they could amend the resolution, but they are trying to exactly parallel the City's ordinance.

Mr. Stumpf stated that this is not the same.

Jim Stone, Director of Public Health, explained that there are a few other changes, but this would have to be re-codified. The paragraphs and numbers change a little bit. For clarity, you would take the old one out and put the new one in.

Linda Douglas Williams asked how a person's information such as date of birth, address, driver's license number and full name would be discarded once it's kept for 90 days. This information could be used for identity theft.

Dwayne Gab, Assistant State's Attorney, explained there are no specifications for disposing of this information. It would be up to the individual business. Mrs. Douglas Williams stated that all people who do this scrap metal are not criminals. There are honest people out there that do this.

Chairman VanMeter clarified that the resolution says they must keep it for 90 days, not must keep it for only 90 days, and they could continue to maintain that information after the 90 days. Dwayne Gab confirmed that this is correct.

Mr. Boyster commended Mr. Stumpf, Chairman of the SWAMP Committee, and the County Board for the way this was handled. He stated that if they need to come back and put a small amendment on this saying the documentation needs to be shredded then he would not have a problem with that. He does understand that concern and could talk to legal staff about it. They have come to a point, after all the discussions, to see if they can get this through and make some changes later if they have to.

Mr. Hall stated he is going to vote against this. It is not going to stop the crime, but will only slow it down a month or two. He has heard from the Sheriff's Department, Chiefs of Police in the communities and the State's Attorney that this is a low priority. It is to level the playing field in Springfield. This is great for Springfield, but he is concerned for those who have districts adjoining other counties. There are law abiding business owners who are the first responders to their community. When there is a tornado they have the scrap metal people show up and help to clean up. If anything, they should be applauding them instead of making them jump through another hoop. On every committee he has served on with this Board he has heard the term "it's a shame that we keep getting unfunded mandates". They are mandating businesses to perform something when they are struggling right now to keep their doors open. They have law abiding businesses that will have to provide more paperwork and more office work. If you have ever taken anything to a scrap metal business you would know, while they are very hard workers, they may not be in the office as much as they wish to be. He stated he is voting no, but does understand why others are going to vote yes.

Mr. Stumpf stated that he understands what Mr. Hall is saying, but this resolution is just to match the City of Springfield so the County is in sync with them for police enforcement. They have also heard the State's Attorney's office say, if they get more information it gives them a much better chance for prosecution. This would be a good start for them to get more information.

Mr. Fulgenzi stated that he would like to see more enforcement before this is passed. He thinks they have plenty of tools. He has only seen only one arrest out of thirty thefts, and that is because they caught the guy stealing. It wasn't because of any background checks or paperwork filed, but was just because they caught the guy stealing. He would love to see more enforcement before they pass ordinances regulating businesses.

Mr. Bunch stated there was a testimony the night of the hearing. There was a gentleman who had 300 pounds of copper stolen from his establishment, people were arrested and then let out of jail right away. Two days later the gentleman went back to get his copper and the truck and copper were both gone. There are a lot of honest people out there who are trying to make a living. He stated that if he supported the bill in 2005 he will have to support this one.

Mr. Goleman stated he has not had one person from his area speak to him about this issue and feel it was important. However, having said that, Springfield and other communities they represent are in Sangamon County. He does believe this is a problem and his colleagues that live in the City also believe it is a problem. If you are an honest person you will not have to worry about anything, except maybe taking a few extra minutes out of your time. The Sheriff suggests it is an opportunity to help them use a tool to correct a problem and to help prosecute. He stated he is going to vote for this.

Mr. Schweska stated he has heard talk of enforcement. This kind of comes back to the saying "It's all fun and games until somebody loses an eye". Well, it's all fun and games until your house catches fire because someone stole copper wire. It's all fun and games until someone destroys five air conditioners from an East Side church just to get \$200 worth of copper out of it. He stated he is proud to live in this county with such a superb Sheriff's Department. They have lost two quality units and are working on a bare bones schedule. They are asking for their help, and he thinks it is the least they can do.

Chairman VanMeter asked for a roll call vote on the adoption of Resolution 10. Upon the roll call vote, there were 21 Yeas – 6 Nays. Those voting nay were: Mr. Fulgenzi, Mr. Good, Mr. Hall, Mr. Mendenhall, Mr. O'Neill and Mr. Smith.

MOTION CARRIED  
RESOLUTION ADOPTED

### **RESOLUTION 11**

11. Resolution procuring radio equipment for the Office of Emergency Management.

A motion was made by Mr. Mendenhall, seconded by Mr. Good, to place Resolution 11 on the floor. A motion was made by Mr. Goleman, seconded by Mr. Montalbano, that the roll call vote for Resolution 1 stand as the roll call vote for Resolution 11. A voice vote was unanimous.

MOTIONS CARRIED  
RESOLUTION ADOPTED

### **RESOLUTION 12**

12. Resolution recognizing Senate Joint Resolution 62, which designates the A. Lincoln & Springfield to Peoria Stage Road a historic road.

A motion was made by Mr. O'Neill, seconded by Mr. Schweska, to place Resolution 12 on the floor. A motion was made by Mr. Goleman, seconded by Mr. Montalbano, that the roll call vote for Resolution 1 stand as the roll call vote for Resolution 12. A voice vote was unanimous.

**MOTIONS CARRIED  
RESOLUTION ADOPTED**

Chairman VanMeter stated they would proceed to the regular order of business.

**PROCLAMATION**

Mr. Stumpf, Mr. Ratts and Mr. Fulgenzi presented a Proclamation to the Schnucks Corporation and family for their prompt response, cooperation and exemplary corporate citizenship in handling unforeseen circumstances associated with renovation of their Sangamon Center North store. Dianna Pasley, Director of Food Safety for the Schnuck's Corporation, addressed the Board. She stated that people in this community have been unbelievably supportive of their company. She stated that this community also has a great Public Health Department. Jim Stone and those who work for him were great partners for them, and they appreciate all the help and direction his department provided. Russ Braidlow, Schnuck's Manager in Sangamon Center North, was also present to accept the Proclamation.

**RESOLUTION 3**

3. 2011-23 – Gary & Cindy Ingles, 14879 Sparrow Road and in the 14,000 block of Sparrow Road, Pleasant Plains – Granting a Conditional Permitted Use and Variances. County Board Member – Craig Hall, District #7.

A motion was made by Mr. Hall, seconded by Mr. Moore, 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 carried for the adoption of Resolution 3. Mrs. Fulgenzi voted no.

Mr. Hall stated that this has been an issue in his community for two to three years. The Environmental Protection Agency has been out there over and over again. There have been problems with debris in other people's areas. They have shredded tree bark, and have hauled in trucks and trucks of debris. The Road Commissioner out there has also expressed his concerns on this. If you have driven out there, you would see it is not something you think it is. It is cleaned up a little bit, but not as much as it should have been. He stated he is voting no tonight, and he encouraged any member here to change their vote.

Chairman VanMeter asked for a roll call vote, per Mr. Hall's request, for the adoption of Resolution 3. Upon the roll call vote, there were 7 Yeas – 18 Nays – 2 Present.

Those voting yes were: Mr. Davsko, Ms. Dillman, Mr. Forsyth, Mr. Fulgenzi, Mr. Goleman, Mr. Montalbano and Mr. Smith. Those voting present were: Mr. Boyster and Mr. Schweska. Resolution 3 written “to grant a Conditional Permitted Use and Variances” was denied.

MOTIONS CARRIED  
RESOLUTION DENIED

#### **RESOLUTION 4**

4. 2011-37 – Terri Thompson, 3201 Palmer, Springfield – Granting a Rezoning. County Board Member – Tim Krell, District #15.

A motion was made by Mr. Krell, seconded by Mr. Moore, 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. 2011-38 – Betty Graham, 4232 Peoria Road, Springfield – Granting Variances. County Board Member – Jim Good, District #8.

A motion was made by Mr. Good, seconded by Mr. Ratts, 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. 2011-39 – Edwin S. Waldmire, III, 6200 Waldmire Road, Rochester – Granting a Variance. County Board Member – Andy Goleman, District #4.

A motion was made by Mr. Goleman, seconded by Mr. Preckwinkle, to place Resolution 6 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 6.

MOTIONS CARRIED  
RESOLUTION ADOPTED

**RESOLUTION 7**

7. 2011-40 – Brent Thomas, 53 Judd Street, Glenarm – Granting a Use Variance and Variance. County Board Member – Don Stephens, Jr., District #5.

A motion was made by Mr. Stephens, seconded by Mrs. Ruzic, to place Resolution 7 on the floor. A motion was made by Mr. Moore to waive the reading of the professional staff's report. There were no objections. Mr. Goleman asked the professional staff if the two parties worked out an agreement on this and what the agreement was. Cyndi Knowles, professional staff, stated that they did. They agreed there would be no more than four vehicles that may be parked outside as part of the repair business awaiting repairs or waiting to be picked up. They also agreed that the gates will be kept closed, except for a reasonable amount of time when moving/test driving repaired vehicles, and that the restrictions would not become effective until October 13, 2011.

Mr. Stephens asked if there was another part to this agreement. Molly Berns, professional staff, clarified that this was the full agreement as of the record at the Zoning Board of Appeals hearing.

Mr. Mendenhall stated he believes there was an issue about not blocking the alley for over 30 minutes to allow the loading and unloading of vehicles. After that, the alley would be vacated. Mrs. Berns explained that this was not a part of the official record in the amendment. It was discussed at the hearing, but is not specifically in the resolution because it was not a part of the actual Zoning Board of Appeals motion, per the audio tape of that night.

A motion was made by Mr. Stephens, seconded by Mr. Mendenhall and Mr. Goleman, to amend Resolution 7 to include the agreement that vehicles may not be parked blocking the alley for more than 30 minutes.

Mr. Fraase asked who would be policing this. Cyndi Knowles explained that they would monitor, on occasion, when they are in the area, and would address any complaints right away. Chairman VanMeter stressed that a lot of zoning regulations are reported enforcements, by not only the government enforcing it, but by the public enforcing it by reporting violations to the government.

Mr. Moore reminded them that 18 months ago they hired an individual to follow up on zoning issues. The neighbors generally would report violations and the office would send someone out to check up on it to make sure they are in compliance and to give them guidance and take additional measures, if needed. They would then usually come into compliance pretty quickly.

A voice vote was unanimous on the amendment. Mr. Mendenhall thanked and commended the proponents and opponents for working together on this. They have allowed a business to be established, and that business will honor the wishes and respect the non-business owners

A voice vote was unanimous for the adoption of Resolution 7, as amended.

**MOTIONS CARRIED  
RESOLUTION ADOPTED**

**OLD BUSINESS**

- A. Resolution 19 – Tabled 6/14/11  
Resolution approving the re-alignment of precincts.

A motion was made by Mr. Montalbano, seconded by Mr. Bunch, to take Resolution 19 off the table. A voice vote was unanimous. A motion was made by Mr. Goleman, seconded by Mr. Snell, to amend Resolution 19.

Joe Aiello, County Clerk, explained the amendment. Jurisdictional lines have shifted due to population shifts at the federal, state and county levels. The end result is that Sangamon County precincts have a significant amount of splits. One of their duties, following re-districting, is to correct that. They have done their best job to accomplish that. They began the process with 47% of the precincts with splits. After they went through it, eliminated splits, pared down the larger precincts, consolidated the smaller precincts; they now have 27% of the precincts with splits. Another benefit of doing this was that they were able to reduce the number of precincts. They now have 32 less precincts in the City and 18 less in the County, for a total of 50 less precincts. The bottom line is this will allow them to operate more efficiently, will save \$86,000 next year alone, and will enhance their ability to better serve the taxpayers and voters. When they did this, they looked at it from an un-biased look and un-biased and impartial review. He reiterated that they looked at eliminating splits, shaving down the larger precincts, increasing the smaller precincts, and the end result is fewer precincts and a savings, next year alone, of \$86,000.

Mr. Boyster stated he had a conversation today with a constituent who asked why it took so long to get this done. He asked if this was because they were waiting on census data. Mr. Aiello explained that they did not look at census data. Once the County Board maps were approved, based on census data tracks, they then took those final maps and looked at precincts shapes, sizes and population and eliminated the splits. They did not look at census data, and could not do anything until the County Board maps were completed. Once those maps were completed, they went precinct by precinct and by every Board district to try and fix some of the damage caused through the three legislative districts that did this. Mr. Boyster asked if they would then send this over to the State Board of Elections. Mr. Aiello stated that they would. Will County's average precinct size is 1,200. Sangamon County's average precinct size is 670. Other counties average sizes are 1,000. They did not get as aggressive as other counties, but it does not mean they can't down the road. Once this is approved, starting tomorrow they will start re-coding 140,000 registered voters. Once they are re-coded, they will be able to make this available to anyone who wants it. It will take a couple weeks to re-code those and get maps produced. Everything will eventually be in the hands of the State Board of Elections.

Mr. Boyster asked if they would then mail out new voter identification cards to the voters. Mr. Aiello explained that the next phase is to mail out new voter identification cards. By law, every two years they have to take inventory of all registered voters to find out if they are still at that residence. Typically they lose 7% to 12% of registered voters through the show-cause process. The precincts they see now will be reduced by that percentage. They plan on doing this once everything is re-coded. That process will probably begin some time in October. Mr. Boyster thanked Mr. Aiello for the work they did on this.

A voice vote was unanimous on the amendment. Chairman VanMeter asked for a roll call vote on the adoption of Resolution 19, as amended.

Mr. Bunch stated that back when this first started, the map was first drawn and they met to go over the boundary lines, he commented that he wasn't very happy because there were two board members in the same district. Tonight he has a similar problem because there are two board members who lost their precincts or are not in the boundaries. He knows that Joe has worked extremely hard on this and has tried to work it out. He feels like they need to do a little more work to try and get this resolved if they can. He stated that he would like to vote present on this, and when they get this resolved and bring it back he can vote yes.

Mr. Mendenhall voted yes and complimented Mr. Aiello and his staff for the work they did on this.

Mr. Schweska voted yes and stated that he does believe they did save a great chunk of change but he feels they do need a little bit more transparency, as this was only available for about 36 hours.

Upon the roll call vote, there were 24 Yeas – 0 Nays – 3 Present. Mr. Bunch, Mrs. Douglas Williams and Mrs. Ruzic voted present.

Mr. Aiello thanked everyone for this vote. Tomorrow they will begin a very large task as they move forward in re-coding all the voters. He thanked Julie Pittman, Stacey Kern and the entire Election Office staff on this very difficult task. He also thanked the Information Systems Department for dropping everything they were doing to help with this. Without them they could not have gotten this done.

**MOTIONS CARRIED  
RESOLUTION ADOPTED**

### **NEW BUSINESS**

#### **A. Resolutions**

There were no new resolutions.

## B. Appointments

Appointment of Pat Somers to the Sangamon County Board of Review for a term expiring September, 2013.

Appointment of George Allspach to the Lanesville/Illiopolis Drainage District for a term expiring September, 2014.

Appointment of Sharon Brown to the Community Services Block Grant Board for a term expiring September, 2014.

Appointment of Brad Mills to the Community Services Block Grant Board for a term expiring September, 2014.

Appointment of Michelle Tucker to the Community Services Block Grant Board for a term expiring September, 2014.

Appointment of Jason Ratts to the Community Services Block Grant Board for a term expiring September, 2014.

Appointment of Clyde Bunch to the Citizen's Advisory Board on Animal Control for a term expiring June, 2012.

Appointment of Elaine Funk to the Citizen's Advisory Board on Animal Control for a term expiring June, 2012.

Appointment of Aakash Raut to the Citizen's Advisory Board on Animal Control for a term expiring June, 2012.

Appointment of Ralph Hanauer to the Citizen's Advisory Board on Animal Control for a term expiring June, 2012.

Appointment of Gen. John Sheedy to the Citizen's Advisory Board on Animal Control for a term expiring June, 2012.

Appointment of Frank Coble, D.V.M. to the Citizen's Advisory Board on Animal Control for a term expiring June, 2012.

Appointment of Linda Douglas Williams to the Rural Transportation Committee.

A motion was made by Mr. Montalbano, seconded by Mr. Bunch, for approval of the appointments. Chairman VanMeter stated that the original documentation did not properly reflect Mrs. Douglas William's appointment to the Rural Transportation Committee.

A voice vote was unanimous for approval of the appointments with the addition of assigning Mrs. Douglas Williams to the Rural Transportation Committee.

The nominations for appointment at the October meeting were also submitted.

MOTION CARRIED  
APPOINTMENTS ADOPTED

C. Approval of the 2012 County Holidays

A motion was made by Mr. Montalbano, seconded by Mr. Bunch, for approval of the 2012 County Holidays. A voice vote was unanimous.

MOTION CARRIED  
HOLIDAYS APPROVED

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

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

MOTION CARRIED  
REPORTS FILED

Jim Stone, Director of Public Health, announced that they would be giving flu shots to County Board members after the meeting.

**ADJOURN**

A motion was made by Mr. Bunch, seconded by Mr. Montalbano, to adjourn the meeting to October 11, 2011 at 7:00 p.m. A voice vote was unanimous.

MOTION CARRIED  
MEETING ADJOURNED