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MINUTES

SANGAMON COUNTY BOARD

JULY 10, 2018

The Sangamon County Board met in Reconvened Adjourned September Session on July 10, 2018 in the County Board Chambers. Chairman Van Meter called the meeting to order at 7:00 p.m. Mr. Hall gave the Invocation and Mrs. Scaife led the County Board in the Pledge of Allegiance.

ROLL CALL

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

PROCLAMATION

Mr. Ratts presented a Proclamation to Patty Meyer upon her retirement. Patty was acknowledged for her years of service with Sangamon County, most recently as Facilities Manager. She accepted the Proclamation and thanked the County Board. She stated the County has been a wonderful place to work, and she is glad to finish her career here. Everyone has been like family to her. She feels they finished a lot of projects, saved a lot of money, and she thinks she left the place better than when she started. Hopefully all the new projects will go smooth. The County is a wonderful place.

MINUTES

A motion was made by Ms. Sheehan, seconded by Mr. Bunch, for approval of the Minutes of June 12, 2018. A voice vote was unanimous.

MOTION CARRIED
MINUTES ADOPTED

Chairman Van Meter announced that they would go out of the regular order of business to accommodate the many people present, without objection. They are skipping the presentation by the external auditors at this point.

CORRESPONDENCE

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

MOTION CARRIED
CORRESPONDENCE FILED

Chairman Van Meter stated they will move to Resolution 6, without objection.

RESOLUTION 6

6. 2018-028 – Solar Provider Group IL, LLC (SPG), 660 N. Oak Road, Rochester – Granting a Conditional Permitted Use and a Variance. County Board Member – Tom Madonia, Jr., District #9.

A motion was made by Mr. Madonia, seconded by Mr. Stumpf to place Resolution 6 on the floor. A motion was made by Mr. Madonia, seconded by Mr. Stumpf, to Table Resolution 6. A voice vote carried. Mr. DelGiorno voted no.

Chairman Van Meter explained that the Health, Safety & Zoning Committee is meeting on some issues that have risen, partly as a result of the state statute. They hope to report some adjustments to the ordinance at the August Zoning Board of Appeals, and to County Board in September. Mr. Stumpf explained they are tabling this to take a look at a few more issues coming down from the state, but also their own internal issues on three items for setbacks, shrubbery and for surety bonds. They will bring it back to full County Board, and will deal with the solar farms in the very near future. Chairman Van Meter stated to those people interested in the solar farm issues this evening, they hope all of this will be dealt with at the September County Board meeting. Neither of the two solar issues will be dealt with this evening. There will be no public comments allowed this evening. Mr. DelGiorno asked why they would not be allowed to speak tonight if they signed up in time.

Chairman Van Meter stated he did not think there was anyone who signed up to speak on this issue. A member of the public announced that she did sign up. Chairman Van meter directed her to confer with their staff and they will accommodate her if they do have her form. Mr. Stumpf clarified that the proponents and opponents will still be able to speak when they do deal with both solar farm issues.

MOTIONS CARRIED
RESOLUTION TABLED

RESOLUTION 1

1. 2018-023 – Erik Karhliker, 2623 Hilltop Road, Springfield – Denying a Variance and Granting a Variance. County Board Member – Tom Madonia, Jr., District #9.

A motion was made by Mr. Stumpf to withdraw Resolution 1 upon the petitioner’s request.

MOTION CARRIED
RESOLUTION WITHDRAWN

RESOLUTION 2

2. 2018-024 – Michael Hemberger, 3550 Hudson Road, Auburn – Granting a Variance. County Board Member – Sam Snell, District #6.

A motion was made by Mr. Snell, seconded by Mr. Tjelmeland, to place Resolution 2 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 2.

MOTIONS CARRIED
RESOLUTION ADOPTED

RESOLUTION 3

3. 2018-025 – Cheryl Kutchma, 5959 Barlow Road, Riverton – Granting a Rezoning and Variance. County Board Member – Todd Smith, District #2.

A motion was made by Mr. Smith, seconded by Mrs. Hills, to place Resolution 3 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 3.

MOTIONS CARRIED
RESOLUTION ADOPTED

RESOLUTION 4

4. 2018-026 – Richard Narup, 20 Country Lake Road, Springfield – Granting a Rezoning and a Variance. County Board Member – Tom Fraase, Jr., District #1.

A motion was made by Mr. Fraase, seconded by Mr. Snell, 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. A voice vote was unanimous for the adoption of Resolution 4.

MOTION CARRIED
RESOLUTION ADOPTED

RESOLUTION 5

5. 2018-027 – Robert Underwood, 2900 S. Allis Street, Springfield – Granting a Rezoning. County Board Member – Joel Tjelmeland, Jr., District #14.

A motion was made by Mr. Tjelmeland, seconded by Mrs. Deppe, 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 carried for the adoption of Resolution 5. Linda Fulgenzi, Mr. Ratts, Mrs. Hills, and Annette Fulgenzi voted No. Mr. Miller voted Present.

MOTIONS CARRIED
RESOLUTION ADOPTED

RESOLUTION 7

7. 2018-029 – Legacy Real Estate Professionals, LLC, 12051 Main Street, Glenarm – Granting a Rezoning and Variances. County Board Member – Jeff Thomas, District #4.

A motion was made by Mr. Thomas, seconded by Mrs. Scaife, 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

RESOLUTION 8

8. 2018-030 – Advanced Seed Solutions, LLC, 3000 block of Curran Road, New Berlin – Denying a Rezoning and Granting a Use Variance and Variances. County Board Member – Craig Hall, District #7.

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

Trustin Harrison, professional staff, stated the petitioners are requesting for Proposed Parcel 1: a rezoning from "A" Agricultural District to "B-2" and a variance to allow the parking and access way to remain unpaved rock instead of the required bituminous seal coat. Petitioner further requests for Proposed Parcel 1 that if the request for rezoning to "B-2" is deemed inappropriate that a Use Variance be granted in accordance with Chapter 17.68 and a variance to allow one parcel less than forty acres, which will be approximately 5 acres.

Steve Kennan, professional staff, stated the professional staff recommends denial. The petitioner is proposing to divide approximately 5.3 acres from the subject property to be utilized for an agricultural sales and service business which requires B-2 zoning. The remainder of the parcel will remain in cropland. The LESA score for the property is 192. In this case, the proposed use of the new parcel is one that is ancillary to crop production and provides a benefit to the agricultural community. As such, staff recommends that a Use Variance to allow an agricultural sales and service business on Proposed Parcel 1 be granted. Furthermore, staff recommends approval of the variance to allow the parking and access way to remain unpaved rock instead of the required bituminous seal coat, and approval of a variance to allow one parcel less than forty acres. The Standards for Variation are met. Mr. Harrison stated the Zoning Board of Appeals concurred with the staff recommendation. The motion carried 5 to 0.

Regional Planning Director Molly Berns explained that there appears to be some miscommunication about how staff goes about doing its actual zoning analysis, so she would like to visually walk everyone through how they go about doing a staff analysis. When the County is approached by any sort of rezoning action, the potential petitioner first meets with the Zoning Administrator and generally someone from the Regional Planning staff. During that meeting the Zoning Administrator would determine what, if any, kind of zoning relief would be needed. In this case, to locate and operate an agricultural sales & service business, the Zoning Administrator determined that the petitioner should request B-2, retail business district zoning. Per the Zoning Ordinance, the staff of the Regional Planning Commission is required to investigate every zoning request, conduct a site visit, evaluate the immediate area around the subject property, and write a staff analysis which includes a recommendation. This recommendation is based on a number of things including: What can the property currently be used for under its existing zoning classification? What uses would be allowed if the requested zoning were granted? What would be the impact on the area if the zoning were granted? Would granting a rezoning set a precedence on the immediate area for future zoning cases?

Mrs. Berns gave a slideshow presentation of uses permitted in agriculture. The first question was what would be allowed on the property if there was no zoning relief granted at all. She pointed to a particular picture taken on Old Jacksonville Road. There are nine very large corn bins. Across the driveway from it are an additional seven at about half that size.

Right at the current point in time on the subject property that many bins could be placed, as well as any number of bins, providing it's not a commercial grain operation. In addition, the current property owner could build a house and be residing on the property and build a very large shed and operate a seed corn dealership from the property without any zoning. After evaluating what uses were permitted in the agricultural zoning district, staff then looks at the uses that would be permitted in the B-2 zoning district. Some of those uses permitted are: medical related laboratories, banks and loan offices, gymnasiums, garden supply and seed stores, vehicle sales and service, business schools, grocery stores, business and professional offices, and banquet halls. All of these have a significantly higher traffic count than the proposed use. When conducting the site visit it was the opinion of staff that the requested B-2 use or zoning would be inappropriate for the area. To be clear, the determination was not made that the proposed use was inappropriate at that location, but rather the B-2 zoning classification would allow uses other than the proposed use that would have been inappropriate. The Regional Planning staff does have the option under ordinance to recommend denial of the requested zoning but approval of a Use Variance. Use Variances are very specific. In this case, only an agricultural sales & service business can be operated on the proposed five acres as based on the location of the where the proposed 5 acres would go based on the site plan filed with the petition. It is very specific. They can't choose to put that 5 acres in the northwest corner of that 40. They have to put it where they are proposing to according to the site plan. Even if the petitioners were to go out of business, the only use that could be operated at that location would be the one described in the Use Variance, unless a new owner of the property were to seek zoning relief. Obtaining a Use Variance does not guarantee that a Use Variance for a different use would be granted. In fact, there should be even more scrutiny because there would be a history of impact the first business had on the immediate area. During the initial site visit, staff determined a Use Variance at this location was appropriate. Even today, we made another trip out to the site to take additional pictures and ensure our initial assessment was still accurate. She showed other slides emphasizing the distances from houses. She showed a picture that was taken from the proposed entrance of the site looking east toward a shed located on the property adjacent to 6260 Bunker Hill Road. The shed is 60X80 square feet and appears to be 25 feet in height. The point of taking this picture is that it was taken from the entrance of the proposed subject property and where the proposed use would be. Looking off in the horizon you can only see a portion of the top of that building. That would be very similar to what any neighbors who had a visual would be able to see. That is allowed in the agricultural zoning district now. The second picture is taken from the front of 6601 Bunker Hill Road looking south. There is a sign on I-72 that is over 1,600 feet from the closest home north of the property. This is kind of the point of seeing what you can actually see on the horizon from the north side of Bunker Hill Road. Another picture was taken from 6545 Bunker Hill Road looking west. The reason they took this was to make the comment that the foliage in the trees blocks the view of the subject property. The first thing anyone would say when that appears on the staff analysis is "well those trees could come down". They could, but those trees are on the property of the houses that are behind those trees. They control that visual block and that screening. The proposed petitioners do not. Another picture was taken from the proposed entrance of the subject property, and it is looking sort of to the north and west. Again, the structures on the north side of Bunker Hill Road are not visible at all, which means not only are the houses not visible to the proposed use, but the houses can't see the proposed use either.

Another picture was taken from the proposed entrance of the subject property looking straight north. There is the north boundary of the new five acre parcel. It is approximately 710 feet from where she took the picture to the corner of Curran Road and Bunker Hill. Again, it is quite a great distance from the proposed use. The next picture was taken from the overpass looking north. The overpass is approximately 20 feet taller than the grade which is at the proposed entrance. You are 20 feet higher from when she took the picture and yet that is the only house available to see at all. She is bringing this up because people have testified that this would be a visual problem for them if this were sited. Some have asked if granting a Use Variance at this location sets the precedent for other use variances in the immediate area. In her opinion, it does not. People have also asked about property values, and she knows that is one thing listed on the petition. Her experience with property values is they are largely affected by what people can see and what is adjacent to them. She thinks it is evident from the pictures they took today that there would not be any visual effect whatsoever from the proposed use of the neighboring houses. She hopes this clears up a little bit on how they go about doing the analysis. It is a truly independent analysis and multiple staff are involved.

Dave Wallner, proponent, residing at 105 Willow Lane in Pleasant Plains, addressed the County Board. He started by thanking the County Board and the board members who took time to answer their questions to learn more about what it is they do, and Zoning Administrator Trustin Harrison for their help through this process on this property and for other properties they have looked at in the past. They have tried to go about this process the correct way since the beginning. They talked to Trustin before they met with the landowners about buying the property to ensure this location would fit their use variance request. They also contacted the road commissioner to make sure he was okay with extending the culvert to the north to allow easy access for the trucks and trailers, and to get his honest opinion on the condition of the road and if it would hold up to the increased traffic. He had no concerns at the time with either request and assured us he would do everything in his power to maintain the road to the best of his ability. Throughout this process they have heard three main concerns. The impact their building would have on home values, the precedent they would set for other businesses to move into the area, and the negative impact their traffic would have on the road and the safety of others. They believe their building would have little to no impact on home values in the area because there are many other homes that have sheds very similar to the one they plan to build. In fact, nearly 50% of the homes on Bunker Hill Road have the same style of building on their property. There are also other businesses already in operation on Bunker Hill Road. In addition, there are two other Ag businesses operating in western Sangamon County. There is Mendenhall Ag and Archer Elevator. Both of these businesses are located in the middle of heavily populated areas that have seen the rapid expansion of very nice homes, proving that having an Ag business has little to no effect on, not only the demand, but also the price of area homes.

The second issue regarding the precedence they will set for other businesses should not be a concern due to the decision by the Zoning Committee to only grant a Use Variance. By doing so, only an Ag based business can come into the area if the board approved it. The main concern lately has been the impact their business would have on area roads.

They can assure residents that all of their truck traffic will take place on Curran Road, and the entrance to their shed will only be one mile off of US 54. They expect anywhere from 50 to 80 trucks per year at their facility, which is a fraction of the traffic these same roads receive by the trucks and trailers serving farmers throughout the year. To put this into prospective, one local elevator in western Sangamon County, that is located on a county road very similar to Curran Road with the same width, will see roughly 125 trucks per day during harvest. That location receives roughly 5,000 trucks over the course of a year, compared to the 50 to 80 that will serve their business. In the seven years he has served on the local fire department, he has never seen nor responded to any accident caused by a truck or trailer leaving or entering that facility. If they receive approval by the County Board they will do everything in their power to honor the concerns of, not only the citizens and residents, but the board. He thanked them for their time and consideration.

Mr. Bunch stated if you go down that road you come down to a T intersection at the dead end road. He had a professional engineer go with him out there and they entered that intersection and for some reason there was some kind of cave in or mine subsidence. It was doctored up. The road is unfit. The engineer suggested to him that there shouldn't be any semis on that road. He agrees with him. There were a lot of patches on that road, and someone went in there and tried to grade some stuff down and didn't do a very good job. Some parts of that road are just 12 feet wide. He apologizes because usually if he tells someone he will vote for something, he does, but he can't support this because that road is dangerous. It will be harvest time again soon and there will an awful lot of trucks. That road is completely just washed off to the curb. There is a curb there that is four or five inches tall. He is concerned about children in school buses traveling on that road. The County is not in charge of that road. He thinks the township out there should get a petition out to not allow anymore semis down that road again. That road is the only reason he can't vote for this.

Mr. Wallner told Mr. Bunch that he thinks he may be talking about a different road. You said you came to the T road. Mr. Bunch explained that you go over the bridge across 72 and go to the north. You have to go left or right because there is no other way to go. Mr. Wallner stated their entrance will be at the base of that. It is not at the T. Their property ends long before that. The entrance to their facility will be long before you get to the T. Mr. Bunch stated he must be looking at the wrong piece of property. Mr. Wallner stated he thinks Mr. Bunch is referring to Bunker Hill Road, and he agrees that is a very big concern. He can assure them that none of their semi traffic will be using Bunker Hill Road. The entrance to their building is 710 feet farther to the south than the intersection you are referring to. Mr. Bunch asked if they are going to make a road going to their place. Mr. Wallner stated they would be making an entrance. The road commissioner agreed to extend the culvert as wide as they seemed fit to get the semis in and out.

Linda Fulgenzi stated the size of the seed storage building would be 80x200 and the office is 30x40. She asked if there are other buildings in the area that are that large. Trustin Harrison stated he did not measure any additional buildings so he does not know if there are. Mr. Wallner explained that the building in the picture they showed that was 60x80 would be the second largest. The largest would be the building directly north of their facility and it is 86x65 or 70. Mrs. Fulgenzi asked if this building would be approximately twice that size then. Mr. Wallner stated the width would be similar, but it would be a lot longer at about twice the length.

Mr. Hall stated there is an engineer here from the Highway Department who went out there and put a hose across the entrance to that property to track the traffic count. Mr. Hall stated he was really impressed with how polite people were, for or opposed to this. There was mature conversation. There wasn't this anger against him or Mr. Wallner. Mr. Hall asked County Engineer Brian Davis to come up and explain the traffic count he came up with and to address some concerns that have been expressed. One of the concerns heard was about traveling over the interstate and approaching that entrance on your visual. The concern is if you would be able to see a truck coming in or out. Another concern he had from people was that the people out there drive too fast. Driving too fast is not a zoning matter, but is an enforcement matter. So as a person on this board, when they had an issue on whether there are enough vehicles coming to and from, they went through committee. The Sheriff's Department was another committee they talked to. He appreciates the Sheriff and Joe Roesch who went out there. He just wants to get to the facts.

County Engineer Brian Davis clarified that this is a township roadway, and is not county. Mark Komnick is the Township Road Commissioner. It was with his permission that the County Highway Department did traffic counts out there. They did a 72 hour count on Curran Road, and the average count was 463 vehicles per day near the entrance of the proposed development. On Bunker Hill Road, west of the Curran Road intersection, they had 687 vehicles per day. On Bunker Hill Road, east of the Curran Road intersection, there were 886 vehicles per day. All of these numbers were consistent with what is shown on the IDOT website for their count of average daily traffic in a 24-hour period on the roadway. In regards to the question about site distance, the Illinois Department of Transportation Local Roads and Streets Manual has criteria for site distances. Sitting in the existing entrance, which is his understanding of where the entrance for the development would be, the required stopping site distance from that, due to the downgrade from the overpass of I-72, is between 550 and 590 feet. The measured stopping site distance by their staff was approximately 830 feet from the existing entrance. To the south there is 770 feet of stopping site distance, which gets you from the existing entrance to the intersection. The stopping site distance north of the entrance would be a requirement of 495 feet because it is at a flatter grade.

Chairman Van Meter asked Mr. Davis if there is adequate stopping according to some state standards. Mr. Davis stated there is.

Mr. Hall stated that road is a motor fuel tax road. He asked if it is a motor fuel tax road from Point A to Point B, and where Point A and Point B are on that road. Mr. Davis stated he does not have that information available tonight. He does know the township receives motor fuel tax for that road from I-72 north to the intersection with Bunker Hill Road. Mr. Hall stated the concerns he hears are about the road conditions of that road. Mr. Hall asked Mr. Davis if he knows of any comparables of township roads that will allow such a variance with that width of the road. Mr. Davis stated the only thing he can think of would be their subdivision ordinance. According to that they would measure from the nearest state or county highway, which would be from Old Route 54 to the south. So, Bunker Hill Road would not be taken into consideration as far as the width of that road for development purposes if this was treated as a traditional subdivision.

Mrs. Scaife asked Mr. Davis if the study was done over the holiday weekend. Mr. Davis stated it was done over the holiday itself. The counters were placed on Monday morning and were removed on Thursday morning. Mrs. Scaife stated that school wasn't going on and that is a factor. While you can talk about the statistics or the standards of the road, it doesn't necessarily address the quality of the roads. Mr. Davis stated that is correct.

Mr. Fraase asked if the stopping distances are based on if you are going the speed limit. Mr. Davis stated it is at 55 miles per hour speed, which would be the assumed speed on that road. Mr. Fraase asked if knows how fast that grows if someone is riding five miles per hour over the speed limit. Mr. Davis stated if you are going 60 miles per hour, the required stopping distance on that roadway would be 690 feet. That would still be less than the distance available.

Chairman Van Meter stated to Mr. Wallner that he mentioned in his testimony he could assure that his clientele would not use Bunker Hill Road. Mr. Wallner stated currently they do not have any customers who would pick up seed at their location, so all the trucks coming in and out are contracted out. There aren't truck drivers that aren't familiar with the area. They are all truck drivers that are farmers in Sangamon County. He's heard a concern that truck drivers get lost, and when they type it into their GPS it will bring them in on a different route. He believes that is not going to be the case because they are all local and know the issues he is going through. They will know to come from Curran off of Interstate 72 and turn north on Curran Road into their facility. Chairman Van Meter asked if all of the people driving the trucks would be his employees. Mr. Wallner stated they are not his employees. They are contracted by him. Chairman Van Meter asked if he would be able to control the way they approach the property. Mr. Wallner stated that every truck driver calls him when they leave Decatur where the seed comes from. If there are any that haven't been there or been there in a while then they do call him for directions and he speaks to them directly.

John Ruby, residing at 2468 Emerson Road in New Berlin, addressed the County Board. He has lived in Curran Township all of his life and voted in the precinct he is in. He is representing the objectors of this variance who are all standing out here in the audience and out in the hallways. They have handed out packets to the board members and he would like for them to look at it and really look over the letters they have from the Curran Township office. The township board was there last night and they have given the recommendation to not use this road. The Supervisor and Road Commissioner are all on the Township Board. There is also a letter in there from the Mayor of the Village of Curran. He also says this road is not safe to run on. There is a letter from the New Berlin School District Superintendent as well. He is concerned about the safety of children on the school buses on these roads when they meet traffic. The access they are talking about using that is going to this facility comes from Route 54 from Curran and goes north up over the interstate overhead to their facility. That road, south of the interstate they are going to be using, is in the Village of Curran city limits. They do not have the money to repair that road. It washes when there is heavy rains, and the Superintendent does not let buses go over that roadway. There is also a foot and a half sinkhole beside the road right now that has not been fixed. They feel like this road supporting 60 to 80 trucks per year at 80,000 pounds would definitely downgrade the road. There is no money to repair these roads. They are concerned about the school buses and the safety of the kids.

They can't understand how this would be approved with a LESA score of 92. That is a very high score that is not recommended for this type of use.

Paul Rice, 6150 W Iles in Springfield, addressed the County Board. He lives a mile north of the proposed site. The group as a whole has yet to hear anyone that does not want the business. He has met them, and they are good people. They have a good business plan, but it has to do with the location of the site. He sent an email to each of you today, so he hopes you've had a chance to review it and give it your consideration. It seemed the staff did a nice job of proposing for this business. Existing barns do not have 60 to 80 semis coming in and out of their farmstead. You have the opportunity as a board to site this business on a good hard road. There is Route 104, Route 54, Old Jacksonville Road, or Route 125. You have the opportunity to help direct where that truck traffic can go. From Curran to this site there are parts that are only 14 feet wide, and the asphalt is crumbling within that area. They are requesting that you vote no on this tonight. The gentleman at the Farm Bureau meeting indicated if this was voted down tonight, they will continue looking. He hopes they do find a better site. Again, it has to do with the conditions of the roads. Last night they met with the Curran Township Board, and Mike Workman and Mark Komnick have written letters that they do not support this project. They are the township people who will take care of this road. Mr. Rice thanked them for their consideration.

Mr. Hall stated he has known John and Paul for a long time. They are two people he loves to argue with about everything. Mr. Hall stated he really does understand their concerns. He's had many people such as the Emerson's, the Ruby's, and the Krueger's talk to him about this. The struggle he has with this is that others have wanted to notch off the family farm and have 8 to 10 acres on their farm so they can live where their grandparents lived, or wanted to have some acreage so they could live in the country. There are a few of them that the Zoning Board of Appeals voted against. He has heard "You know you did a good job when everybody walks away equally unhappy". You try to come to a compromise. They have talked about changing the entrance and not changing the entrance. He's heard people say this shed is going to have so much mass and the parking lot is going to flood the area. He has asked the experts on that and they said that is not an issue. People have asked if bringing aggregate out of the parking onto the road would be an issue, and the answer was no. They are trying to come up with what would make the most sense. Mr. Hall stated that he grew up out there. They are trying to come to a decision on what would work for Sangamon County. When people tell him what they want in this area, they want lower taxes. Quite honestly the first politician that ever tells you they are going to lower your taxes, no, not so much. They look for businesses. He read about this company in Jacksonville. He looks for zoning issues so he can bring them to the area. He is proud to say, since being on this board, they have two of the largest grain loops in Illinois, and both of them are in Sangamon County. He remembers when there wasn't much of an elevator in Curran at all, and there's an elevator there now that puts them on the map. They put grain on rails. They put grain in business. They are supposed to bring businesses to Sangamon County. He hears state lawmakers who say they are going to do that, and they don't keep their promise. If they turn this down, what kind of message are they sending to other businesses wanting to come to Sangamon County?

Chairman Van Meter stated, for the record, in 2002 this County Board actually did lower everybody's taxes.

Mr. Mendenhall stated he has been in the AG industry all his life, and in the seed business for 45 years. He was pretty vocal to start with, and there will be some County Board Members who are not going to be happy with his comments, but he thinks it represents them all. He spent most of the weekend driving up and down most of the township roads in Sangamon County. He thinks the argument about the roads, they could find on almost any township road that he drove on. For the opponents that are concerned and who moved out in the country to get away from businesses and to be able to look out their back door and see a beautiful cornfield or bean field and not have a building, he gets it. They built their house in 1972 and there was a grain elevator about a half-mile away. Now it is less than one quarter mile away because it has expanded five times. He went to bed one night and woke up one morning to look out the east of his house and there was some construction going on out in the middle of a bean field. There are now three hog houses less than one quarter mile from his house. He understands everybody's concerns. He supports the Ag industry, everybody's concerns about the road and looking out at the buildings, but trust him, that 200 foot building you are going to look at is much better than the 450 foot times three buildings that he looks at every morning for the hog houses. If the road commissioner agrees it is not an inconvenience, then they will have to live with it. He spent 12 hours on Saturday and 7 hours on Sunday and a tank and a half of gas driving around trying to find a spot he could recommend to these people that wouldn't be a problem. He hasn't found a township road in Sangamon County that there would not be an issue on.

Mrs. Scaife stated this is a unique situation. Although it is in the far east side of Craig's district, it is in the west side of her district, and it also butts up to Tom Fraase's. They have heard from many constituents with concerns and they represent those constituents as they represent the whole county. These are two fine young men. They told them from the start. They wish them well, but the location is poor and the area is poor. Now you have heard from Curran Township who will maintain that road. It will not be Sangamon County. Although IDOT may have their standards and say what they say, they all know how reality is when people drive. This is a big concern for everyone in the area. This is a poor site and they would like it relocated somewhere else.

Mr. Fraase stated that Mr. Ruby mentioned the LESA score of 192. He asked the professional staff to clarify that score. Molly Berns explained that LESA scores are required to be calculated when a petition is requesting a rezoning of a property, so the score was recalculated. It does have good soils. There is no question about it. It is the same soils that the housing developments are on. It is very similar with the way the glacier when through. It is also important to note that it does not have sewer, and it also has some distance from essential services. That all contributed to the score. Once the staff decided B-2 was inappropriate for the rest of the uses allowed if they rezoned the property to B-2, then the LESA score does not apply in a use variance situation, as per the ordinance. Chairman Van Meter asked if they applied the LESA score when they applied for B-2, and the LESA score would be an additional reason why B-2 would not be appropriate. Molly Berns stated that is correct. Once you rule out B-2 and it is just AG and a Use Variance in AG, then the LESA score doesn't apply because you are not changing the zoning to another type of zoning. Mrs. Berns stated that is correct and thanked him for the clarification.

Mr. Bunch personally applauded the gentlemen who spoke. He thinks they handled themselves very well. His only concern is with the roads. If you don't have children then you don't worry about it, but he has children and grandchildren. His concern is what he witnessed with an engineer who said the roads are just not good for the buses and semis.

Mr. DelGiorno asked the professional staff if school buses go down Curran Road where the entrance is. Trustin Harrison stated he does not know. That is not information they have available to them. The residents say there are school buses, but the professional staff does not know what the fall schedule is. She did put in a call to the superintendent, but was not able to get a hold of him to verify that information. They wanted to find out if there are buses and how many. Mr. DelGiorno explained that on Bunker Hill Road where you come in from Wabash, you have the Hope Church, which had a full parking lot, you have Centennial Park, you have the bike trail, which also had a full lot on Sunday morning because it was still nice, and you also have a tree farm out there. Plus you have all the residential property out there, which is predominantly on the north side of Bunker Hill. One of his questions is how close these residences, from the signed objection petition, are to the actual location. His fear is they are not taking into account what is actually going on with Bunker Hill Road because what they are really looking at is Curran Road. He'd like everyone to take a minute and realize the way this has been exacerbated in the media in terms of misinformation or misunderstanding as to what is going here. It really concerns him they haven't looked at the actual facts of this before jumping to a conclusion that immediately our neighborhoods are no longer safe simply because this business is interested in going in here. He thinks Mr. Hall is right. What message are they saying to businesses who are interested in moving to Sangamon County if we are going to put up these kind of obstacles and not take into consideration what the actual lay of the land is out there?

Mr. Madonia stated he was looking at those addresses out there and he thinks he counted roughly 210 people that live or drive within 2 miles on these roads and who know what they are going to put up with out there. He lives in Rochester and doesn't have to put up with this, but these poor people do. They all got together and signed a petition. That is impressive and is democracy at its best. They have the Village of Curran against this. They have the Township of Curran against this. They also have the school district against this. He thinks they need to look at common sense when the people have spoken and take all this under advisement when they vote. He looked at the petition and the addresses. He thinks 90% of those people who signed it do use those roads. They know what they are doing and what they are in for.

Mr. Wallner gave his rebuttal. He appreciates everyone's concerns. He thinks one of the big issues is the roads. Bunker Hill and Emerson Roads are roads they will not use. Since Sunday he's had a couple people approach him that actually signed the petition who are now apologetic that they did not realize what their business actually was. He does question some of the names on the petition now. At the end of the day, they want to be the best neighbors they can possibly be. They have tried and have gone about this in a way so they are minimizing the impact they have on the area. They have positioned their lot in the farthest most corner away from the residents on the road that most of the residents do not live. So, they have done everything they can in their power to minimize their affects.

People have suggested other roads for the site. They looked for almost two years for a site. Unfortunately, due to the zoning restrictions in Sangamon County it's hard for a landowner or a farmer to section off an area of land for them to build. Commercial property does not fit them because they would have to pave their parking lot. They would have to supply increased handicapped accessible bathrooms and spots. Their Ag business just doesn't fit a commercial property. They have tried to find the best spot where they have the most minimal impact, and unfortunately this has been the outcome and they apologize for that.

Mr. Hall stated they do appreciate them looking for other pieces of property, and he has joined him in looking for other pieces of property. A lot of the pieces of property out there in that area are under a trust, or under a corporate name trying to keep family farms together. A few of the people he approached and thought would be a perfect spot for this, can't break their family trust because they want to keep their family farms intact. A lot of these pieces of ground they have looked at were not available because they could not open up the contract. If they opened it up then they would expose that farm by family members that may choose or want to sell. He asked Mr. Wallner if they also experienced that. Mr. Wallner stated they did. Their first approach was to contact all of their customers, and some of them are here in the audience tonight. Generations ago most farmland was set up in a trust to keep the family members from splitting up the farm ground. It is a way to protect that field from ever getting split up and sold to the highest bidder. In doing that, you can't split it up. The other problem they ran into is in Sangamon County, if you own 40 acres you have one opportunity to rezone or parcel it out. You would have to go through this process again to get approval to do it a second time. He knows a couple customers who have tried to do that process a second time and have been denied. Some people have offered them other pieces of property in this general area that physically cannot be sold a second time because they have already parceled it out. Granted they could go through this whole process and you could approve it, but many times that does not happen. That is why this has been so much harder. Everyone says there are hundreds of thousands of acres in Sangamon County, so pick somewhere else. He wishes it was that easy. They have spent a long time finding this and this is where they settled.

Mr. DelGiorno asked if they would continue looking in Sangamon County if this fails tonight. Mr. Wallner stated they would definitely look elsewhere. Mr. DelGiorno asked the professional staff if it is correct that the way the current zoning is set up if he wanted to build his house and then his business on the back of it then he could? Trustin Harrison stated that is not 100% correct. If he owned the whole 46 acres approximately, he could build a house on here and put up a pole barn at whatever size pole barn he wanted by right in agriculture. As many farmers used to do, but not so much anywhere, he could sell seed out of it by right. Their business is a little bit more intense than just seed sales, so there would be a couple more hoops to jump through, but the basic answer to that would be yes. He heard a lot of sighs when he said they would go somewhere else. They started this process because they talked to Trustin. They have talked to him about three or four different properties. This is one they honestly thought would go right through there and nobody would be upset. The result is their names have been smeared through the mud in two or three State Journal-Register articles.

There has been a seven year old on News Channel 20 saying he's scared that he will get hit by a semi. Imagine how you would feel if you were in my shoes. He's never done anything to anybody, but apparently his name is going to get smeared through the mud by all the media. Do you really think I want to go through this a second time, let alone a third or fourth until it gets approval? He wants to be in Sangamon County because he has lived his whole life here. He's on the Sangamon County Fair Board and on the fire department. This is his community. He would put this shed in his back yard if he had the opportunity to, but he doesn't right now. That's how comfortable he is with what they are doing. He wants to stay in Sangamon County and wants to be west of Springfield because he wants to raise his kids in the Pleasant Plains School District. He wants his facility within five minutes of his house because as anybody that's been in the Ag business knows, it goes 24-7. So in the middle of the night if he gets a phone call that someone is parked at his shed and it looks suspicious, he doesn't have to drive all the way over the Mechanicsburg to see what's going. He wants this at his back door.

Mrs. Deppe asked if the professional staff could clarify what Mr. Wallner said about breaking down the acreage. Molly Berns stated he is referring to the exemption under the Illinois Plat Act that was passed by the General Assembly a number of years ago, and adopted by the County Board back in 2001. Basically it allows for every 40 acres of farmland, for the original owners or the owners before a certain date, to carve out up to five acres without seeking rezoning or without going through the subdivision process. If someone wants to carve off a second five acres for every 40 acres then there is a process through the land subdivision process to do that. In some cases it's called a minor subdivision, and in some cases it would be a larger subdivision. The mechanism is actually in place, but just requires a longer process. To his point that it rarely ever happens, she can speak unequivocally, at least in the 10 years she has been here, that this County Board has a very good track record of rezoning acreage that is being carved off a second five acres that is being carved off a family farm. A lot of times those parcels that are being carved off are for a second family member. They can all think back to zoning cases they've had, and they even had one tonight.

Mr. Wallner asked if most of those cases are segregated out a second time for residential purposes and not business purposes. Mrs. Berns stated they are because that is what the request is, but they are not prohibited from asking for a commercial purpose. Mr. Wallner stated that the good track record is mostly residential. Mrs. Berns stated it is because they don't get a lot that are commercial.

Mr. Rice gave his rebuttal. His question to Mr. Wallner would be how many agriculture real estate agents they contacted to work with them. He also asked Mr. Hall why, if he's showing properties to these guys, why he never called him to help him work on this. He's been in the Ag real estate business for 18 years and has never heard of these gentleman until this came about. He would have more than welcomed their calls. He has talked to two different people he knows that own farmland and they both would give consideration to something like this. He just questions to what level of diligence they worked through a brokerage firm. Secondly, he just wants to reinforce the fact of who is paying to maintain that road. It is Curran Township and the Village of Curran, and both of them are opposed to this project.

Mr. Bunch stated there has been a lot of comments made about this and that is why he took a professional engineer with him to get the right kind of answers just like he would get a lawyer. The guy he took with him was a professional engineer and he knew about roads. He did this the right way because he didn't know what he was doing.

Chairman Van Meter asked for a roll call vote. Upon the roll call vote, there were 11 Yeas – 16 Nays. Those voting Nay were: Mr. Bunch, Mrs. Deppe, Mrs. Douglas Williams, Mr. Forsyth, Mr. Fraase, Annette Fulgenzi, Linda Fulgenzi, Mrs. Hills, Mr. Madonia, Mr. Miller, Mrs. Ruzic, Mrs. Scaife, Mrs. Small, Mr. Stumpf, Mr. Sullivan and Mr. Tjelmeland. Resolution 8, which was written to deny a rezoning and grant a use variance and variances, was denied.

MOTIONS CARRIED
RESOLUTION DENIED

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

RESOLUTION 9

9. Resolution approving an Intergovernmental Agreement between the Sangamon Mass Transit District and the Sheriff's Department for vehicle repair and maintenance services.

A motion was made by Mr. O'Neill, seconded by Mr. Hall, to place Resolution 9 on the floor. A motion was made by Mr. Bunch, seconded by Mr. Smith, to consolidate Resolutions 9 – 12. Chairman Van Meter asked the County Clerk to read Resolutions 10 – 12.

10. Resolution approving an Intergovernmental Agreement between the Village of Rochester, the Illinois State Police, and Sangamon County Sheriff's Office regarding the policing of Illinois Route 29 near the village.

11. Resolution approving an agreement between the Circuit Clerk and the Village of Grandview for electronic citation services.

12. Resolution amending Chapter 15.05 of the Sangamon County Code regarding the Solar Garden and Solar Farm Building Permits.

A voice vote was unanimous for the consolidation. Chairman Van Meter asked for a roll call vote.

Upon the roll call vote, there were 27 Yeas – 0 Nays for the adoption of Resolutions 9 – 12, as consolidated.

MOTIONS CARRIED
RESOLUTIONS ADOPTED

OLD BUSINESS

- A. Resolution 8 – Tabled 6/12/18
2018-022 – Pleasant Plains Solar, LLC, 1557 Parkes Kinner Road, Pleasant Plains – Granting a Conditional Permitted Use. County Board Member – Craig Hall, District #7.

Resolution 8 remains Tabled.

PUBLIC SPEAKER

Chairman Van Meter stated there is someone from the public who signed up to speak this evening. Tim Thornton addressed the County Board regarding a proposed firearm sanctuary in Sangamon County. He stated they have a Firearm Sanctuary team that was here last month to address this with the County Board. Last month they asked you to consider the proposed resolution. This month they are asking for a sponsor of this proposal. Mr. Thornton asked if there is any County Board Member that would consider being a sponsor to support the Second Amendment and Firearm Sanctuary that is spreading across the state. Last month they had 19 counties and now they have 40, so it is spreading very fast at a rapid pace. They don't want to lose Sangamon County on this. They want Sangamon County to be on board. They would like either an advisory referendum or just a resolution from any County Board Member or a coalition of them to support this. His County Board member is Brad Miller. If other members could meet with him and try to put together a coalition to push this forward in Sangamon County, they would appreciate it. They don't want to make this an exercise in hypocrisy, they want to make this an exercise in freedom. They know there are several members on the County Board who have FOID cards and who own firearms. He doesn't have to explain to them why they would own a firearm, because they know. They really need to get on board with this movement because it is really spreading fast through the state. There are 72 counties that are taking action on this right now. There are only 30 that are not doing anything. One thing to remember is they want to fight against the servants of evil that are trying to leave them defenseless, and they don't want to be defenseless. If they do nothing, then evil will prevail.

Mr. Bunch told Mr. Thornton that he would work with Brad Miller on this if he wants him to.

PRESENTATION BY EXTERNAL AUDITORS CLIFTONLARSONALLEN

Auditor Andy Goleman stated one thing he said was important when he was elected as County Auditor was that they needed a new set of eyes to look at the internal financial operations of Sangamon County. They did the RFP process, and with that process they do have some new outside Auditors who are going to give a report on their findings.

On Tuesday, June 26th he emailed a copy of the 2017 annual audit to all the board members. Tomorrow they will send out a copy of the management letter and the governance letter. Mr. Goleman introduced Hope Wheeler to give a presentation on their findings.

Hope Wheeler thanked them for having her tonight to share results of the audit for Fiscal Year ending November 30, 2017. They did start the audit back in November doing interim procedures by selecting samples and learning their internal controls for the past fiscal year, and starting some tests there. Then they came back in the month of March after year end had closed out. The books were closed and adjusting journal entries were made. They spent several weeks here doing the audit process including the audit of the federal funds, which is the single audit. Then in the month of April they wrapped up the test work. In the month of May they were writing and drafting the financial statements and all of their related reports. They then issued the audit in June. She met with the Finance Committee previously and went through the reports in detail. They issued four different documents. They issued the financial statements, which are the numbers of the County for the fiscal year. With that they issued an unmodified opinion, which is a clean opinion. They didn't have any modifications to their opinion. They were all fairly stated in all material respects in accordance with the government accounting standards and generally accepted accounting principles. In addition, they issued the single audit report, which is the audit over the federal funds. They selected two major programs to tests. They were LiHeap and Weatherization Programs and the WIC-Women and Infant Children's Program. They reported one finding over the financial statements and one finding over the federal single audit. The financial statement finding was about certain adjustments they made proposed to the records at the end of the fiscal year. There was also a finding about reporting and cash management and having a more in depth review process for the single audit just for the LiHeap and Weatherization. They have received responses back to those findings about internal control changes that are being made in related to those. In addition, they issued two other reports. One is called a Governance Communication and one is called a Management Letter. That was reviewed with the Finance Committee. Attached to those letters are the adjusting entries they found as part of the audit process and any recommendations they made as part of the audit process. That is a brief summary of the process. She appreciates the opportunity to work with the County, and all of the department heads and especially the internal Auditor's Office was very prepared for them and very good to work with.

NEW BUSINESS

A. Resolutions

There were no new resolutions.

B. Appointments

Appointment of John Hawkins to the Sangamon County Board of Review for a term expiring June, 2020.

Appointment of Jeanette Goza to the Sangamon County Historic Preservation Commission for a term expiring June, 2019.

Appointment of Tina Lathan to the Sangamon County Historic Preservation Commission for a term expiring June, 2019.

Appointment of Aakash Raut to the Sangamon County Historic Preservation Commission for a term expiring June, 2020.

Appointment of Mike Brooks to the Sangamon County Historic Preservation Commission for a term expiring June, 2020.

Appointment of Chuck Pell to the Sangamon County Historic Preservation Commission for a term expiring June, 2021.

Appointment of Bob Sherman to the Sangamon County Historic Preservation Commission for a term expiring June, 2022.

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

The nominations for appointment in August were also submitted.

MOTION CARRIED
APPOINTMENTS ADOPTED

**REPORTS OF COUNTY OFFICIALS, REPORTS OF STANDING COMMITTEES,
REPORTS OF SPECIAL COMMITTEE, 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 August 14, 2018 at 7:00 p.m. A voice vote was unanimous.

MOTION CARRIED
MEETING RECESSED

Don Gray
Sangamon County Clerk