

# DON GRAY

SANGAMON COUNTY CLERK

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## MINUTES

### SANGAMON COUNTY BOARD

**MARCH 5, 2019**

The Sangamon County Board met in Reconvened Adjourned September Session on March 5, 2019 in the County Board Chambers. Vice-Chairman Sheehan called the meeting order at 7:00 p.m. Mr. Krell gave the Invocation and Mr. Fraase led the County Board in the Pledge of Allegiance.

### ROLL CALL

Vice-Chairman Sheehan asked County Clerk Gray to call the roll. There were 26 Present-3 Absent. Mr. Bunch, Mr. Mendenhall, and Chairman Van Meter were excused.

### NOMINATION OF VICE-CHAIRMAN

A motion was made by Mr. O'Neill, seconded by Mr. Fraase, to move the nomination of Vice-Chairman to the end of the meeting. A voice vote was unanimous.

### PROCLAMATIONS

Mr. Hall presented a Proclamation to Shirley Johnson as Executive Director of the Sangamon County Child Advocacy Center upon her upcoming move to North Carolina. The Proclamation recognized her impressive career accomplishments. Mrs. Johnson thanked them for the honor. It has definitely been a blessing, privilege and honor to serve Sangamon County and the children of Sangamon County. She is excited for this new adventure.

Mrs. Williams presented a Proclamation to County Board Vice-Chairman Catie Sheehan who is resigning from the County Board. The Proclamation recognized her dedication and loyalty to the residents of District 28 and her participation in many important achievements for Sangamon County. Ms. Sheehan thanked them for the recognition. This is an outstanding operation that she has been proud to be a part of. She acknowledged Chairman Van Meter and Rosemarie Long for bringing her in. She also thanked Brian McFadden for all of his wisdom, patience, and help. Finally, she thanked her fellow board members for supporting and working with her. Beyond that, many have become her friends and she hopes that doesn't change. Just because she is moving a few blocks away from her current house, she will still be around. She will be moving to Lisa Hill's district, so any calls she was placing to Andy and Brian, she will now be placing to Lisa. She is looking forward to still working with everyone in the future.

### **MINUTES**

A motion was made by Mr. Ratts, seconded by Linda Fulgenzi, for approval of the Minutes of February 5, 2019. A voice vote was unanimous.

MOTION CARRIED  
MINUTES ADOPTED

### **CORRESPONDENCE**

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

### **WAIVER OF TEN-DAY FILING PERIOD**

A motion was made by Mrs. Deppe, seconded by Mrs. Douglas Williams, to waive the ten-day filing period. A voice vote was unanimous.

MOTION CARRIED  
TEN-DAY FILING PERIOD WAIVED

### **RESOLUTION 1**

1. Resolution approving a contract agreement for aerial photography from Surdex Corporation for the Information Systems Department in the amount of \$102,000.

A motion was made by Mr. Krell, seconded by Mr. Sullivan, to place Resolution 1 on the floor.

Vice-Chairman Sheehan asked County Clerk Gray to call the roll. There were 25 Yeas – 0 Nays.

MOTION CARRIED

RESOLUTION ADOPTED

**RESOLUTIONS 2 – 14**

2. Resolution approving the FY2019 Highway Department motor and diesel fuel purchase.

A motion was made by Mr. Preckwinkle, seconded by Mr. Fraase, to consolidate Resolutions 2 – 14. Vice-Chairman Sheehan asked County Clerk Gray to read Resolutions 3 – 14.

3. Resolution approving a township bridge petition for Brittin Road structures in Fancy Creek Township.
4. Resolution approving a bridge petition for Wildwood Road in the City of Leland Grove.
5. Resolution approving the Election Office grant application for the 2019 Illinois Voter Registration Grant in the amount of \$89,963.
6. Resolution approving the State’s Attorney grant application for funding of their Child Support Division in the amount of \$289,511.
7. Resolution approving the SMART Downstate Operating grant application from IDOT in the amount of \$708,500.
8. Resolution approving the SMART 5311 Rural Transportation grant application from IDOT in the amount of \$132,109.
9. Resolution authorizing the execution and amendment of the Section 5311 Grant Agreement.
10. Resolution approving a grant application with IDOT to provide public transportation.
11. Resolution approving the terms and conditions of the Special Warranty for the Section 5311 projects.
12. Resolution approving the Sheriff’s Office purchase request for jail and inmates supplies in the amount of \$75,000.
13. Resolution approving the Sangamon County ETSD purchase request from Motorola for the radio system upgrade in the amount of \$522,872.

14. Resolution approving the Sangamon County ETSD purchase request from AT&T for the phone system upgrade at the 911 Center in an amount not to exceed \$894,608.

A voice vote was unanimous on the consolidation. A motion was made by Mr. Preckwinkle, seconded by Mr. Madonia, that the roll call vote for Resolution 1 stands as the roll call vote for Resolutions 2 – 14, as consolidated. A voice vote was unanimous.

MOTIONS CARRIED

RESOLUTIONS ADOPTED

### **RESOLUTION 15**

15. 2019-004 – Russell & Dawn Schwartz, 20 Pin Oak Lane, Springfield – Denying a Variance. County Board Member – Abe Forsyth, District #27.

A motion was made by Mr. Stumpf, seconded by Mr. Forsyth, to place Resolution 15 on the floor. Vice-Chairman Sheehan asked the professional staff to give the procedural history of the case.

Trustin Harrison stated the petitioners are requesting a variance to allow the side yard setback to be approximately three feet instead of the required ten feet. Steve Keenan stated the staff recommends denial. The property can continue to be used economically without the requested variance. The petition states that the petitioners replaced a dilapidated 12' x 14' shed before obtaining a permit for a new larger structure. The new shed is 24' x 21', which is three times the size of the previous shed. The petitioner placed the shed on the subject property without receiving a valid building permit. The petition states that complying with the 10-foot setback regulation would place the shed/carport in the middle of the petitioner's yard. Upon the site visit, staff did not find this to be the case. The subject property contains buildable area where the shed could be located in order to meet the 10-foot side yard setback. The standards for variation are not met. Mr. Harrison stated the Zoning Board of Appeals concurs with the staff recommendations.

Petitioner Russell Schwartz addressed the County Board. He resides at 20 Pin Oak Lane in Springfield. He stated they did build a shed without a permit, and they had no idea at the time how big of an issue this would become. They are sincerely sorry and very apologetic for this. They asked the company who sold them the shed about a permit and they stated he did not need one. They said they had an opening now to put it up or he would have to wait several months. That company is now out of business so that explains why they didn't care about a permit. Like all of us, we got caught up in the moment. Sangamon County fined them \$500 for the permit, they pled guilty and paid the fine, so that issue was closed. Prior to putting the shed up they spoke with their neighbors to see if they would have any issues. They all stated it was his yard and it sounds like it's going to be a nice addition. They installed the shed 3 feet 3 inches from the property line, and considered that their rear yard even though it is not the rear property.

The back 1/3 of their property is covered in timber and slopes downhill rapidly into a creek. There was some concern that they had an aeration system, when in fact they have a septic system that was installed by Central Concrete in 1978. They updated the pump in 2006. The septic was pumped out in 2017, so they do have laterals in their yard. It is a concern for them to move the shed in order to meet the 10-foot side yard variance. There has been a precedence set in Sangamon County with other homes having the same issue with structures having a shorter side yard variance. It is a rear yard setback of 3 feet even though it is in the middle of their property line. The back 1/3 of their property is all timber with mature trees and a drastic slope into a creek. The neighbor's property ends before the beginning of the structure starts. The rear of the structure backs up to Salem Estates Homeowner's Association land that will never be used for anything. This new structure is not only newer, but it looks much better, fits their needs, and adds value to their property. Isn't what they all want is for their property value to go up? Mr. Forsyth asked at the Zoning Board of Appeals if this would even be an issue if they had already had the building permit first. Other than it meeting the side yard setback requirement, it serves no purpose to move it in 10 feet on the side. That would be wasted space behind it, and the structure is taking up more of his rear yard. He is asking the County Board to do what they are designed to do and look at this case with uniqueness and fairness since every situation is not the same.

Mr. Preckwinkle asked what it does to the yard if he moves it the extra 10 feet. Mr. Schwartz explained it brings the shed farther into their back yard, and there's a possibility it could sit on top of the laterals for their septic system. Mr. Preckwinkle asked how far away this is from his house. Mr. Schwartz stated it is probably 40 feet, but he is not positive.

Mr. Fraase asked the professional staff if anyone ever did come up and apply for a permit. Trustin Harrison stated the original permit was applied for through the Building Department in the summer of 2017 by Mr. Schwartz. To his understanding, they informed him that the 3 feet would not be allowed. They followed up a year later and found that the shed had been placed in the rear yard.

Vice-Chairman Sheehan asked for a vote on the question for approval of Resolution 15, which was written to deny a Variance. Upon a roll call vote, there were 23 Yeas – 1 Nay. Mr. Preckwinkle voted Nay. Mr. Snell was present but left the room at the time of the vote. Resolution 15 is adopted and the Variance is denied.

MOTION CARRIED  
RESOLUTION ADOPTED

### **OLD BUSINESS**

There was no old business.

**NEW BUSINESS**

A. Resolutions

There were no new resolutions.

B. Appointments

Appointment of Brad Baughman to the Sangamon County Workplace Safety Board for a term expiring August, 2021.

Appointment of Todd Ballenger to the Sangamon County Workplace Safety Board for a term expiring August, 2021.

Appointment of Mike Borgic to the Citizen’s Advisory Committee on Animal Control for a term expiring January, 2020.

A motion was made by Linda Fulgenzi, seconded by Mrs. Hills, for approval of the appointments. A voice vote was unanimous.

MOTION CARRIED  
APPOINTMENTS ADOPTED

The nominations for appointment in April were also submitted.

C. Procurement/Grant Notifications

There were none submitted.

D. Ratification of the Sangamon County Highway Department Collective Bargaining Agreement

Mr. Smith stated this is an agreement with AFSCME Council 301 Local #3079. The members of the bargaining unit and council reached a reasonable agreement. He thanked them for their cooperation and amiable negotiations. A motion was made by Mr. Smith, seconded by Mr. Tjelmeland, for ratification of the Sangamon County Highway Department Collective Bargaining Agreement. A voice vote was unanimous.

MOTION CARRIED  
CONTRACT RATIFIED

E. Ratification of the Animal Control Collective Bargaining Agreement

Mr. Smith stated this is an agreement between the Laborer's International Union of North America, Southern and Central Illinois District Council and Local #477 for the Animal Control Center and Public Health. They were able to come to enter into amiable negotiations and have reached a reasonable agreement. A motion was made by Mr. Smith, seconded by Mrs. Deppe, for ratification of the Animal Control Collective Bargaining Agreement. A voice vote was unanimous.

MOTION CARRIED  
CONTRACT RATIFIED

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

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

MOTION CARRIED  
REPORTS FILED

**NOMINATION OF VICE-CHAIRMAN**

A motion was made Mr. O'Neill, seconded by Mr. Fraase, to nominate Lori Williams as Vice-Chairman of the County Board. A voice vote was unanimous. Lori Williams is now the new Vice-Chairman of the County Board.

MOTION CARRIED  
VICE-CHAIRMAN APPOINTED

**RECESS**

A motion was made by Mr. Preckwinkle, seconded by Mr. Smith, to recess the meeting to April 8, 2019 at 7:00 p.m. A voice vote was unanimous.

MOTION CARRIED  
MEETING RECESSED

***Don Gray***  
***Sangamon County Clerk***