

JOE AIELLO
SANGAMON COUNTY CLERK



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MINUTES

SANGAMON COUNTY BOARD

MARCH 13, 2007

The Sangamon County Board met in Reconvened Adjourned September Session on March 13, 2007 in the County Board Chambers. Chairman VanMeter called the meeting to order at 7:00 p.m. Mr. Montalbano gave the Invocation and Stephanie Venghaus led the Board in the Pledge of Allegiance.

ROLL CALL

Chairman VanMeter asked the Clerk to call the roll. There were 29 Present – 0 Absent.

PROCLAMATIONS

There were no Proclamations.

MINUTES

A motion was made by Mrs. Turner, seconded by Mrs. Long, for approval of the minutes of February 13, 2007. A voice vote was unanimous.

MOTION CARRIED
MINUTES ADOPTED

CORRESPONDENCE

A. Illinois Department of Transportation Motor Fuel Tax Allotment and Transactions for January, 2007.

A motion was made by Mrs. Long, seconded by Mrs. Turner, to place the Correspondence on file with the County Clerk. A voice vote was unanimous.

MOTIONS CARRIED
CORRESPONDENCE FILED

RESOLUTION 1

1. Resolution approving the low bid for the bridge replacement contract in Island Grove Township.

A motion was made by Mr. Montalbano, seconded by Mr. Hall, for the adoption of Resolution 1. A motion was made by Mr. Montalbano, seconded by Mrs. Long, to amend Resolution 1 to say approval is pending an investigation of the low bidder's labor compliance. A voice vote was unanimous on the amendment. Chairman VanMeter asked for a roll call vote on the motion to adopt Resolution 1, as amended. Upon a roll call vote, there were 28 Yeas – 0 Nays.

MOTIONS CARRIED
RESOLUTION ADOPTED

RESOLUTIONS 2 – 4

2. Resolution approving a petition for a bridge replacement in New Berlin Township.

A motion was made by Mr. Hall, seconded by Ms. Cimarossa, for the adoption of Resolution 2. A motion was made by Mr. Bunch, seconded by Mr. Pace, to consolidate Resolutions 2 – 4. Chairman VanMeter asked the Clerk to read Resolutions 3 and 4.

3. Resolution approving participation in the State of Illinois Federal Surplus Property Program.
4. Resolution approving a Local Agency Agreement for federal participation with the Illinois Department of Transportation.

A voice vote was unanimous on the consolidation. A motion was made by Mr. Goleman, seconded by Ms. VanHoos, that the roll call vote for Resolution 1 stand as the roll call vote for Resolutions 2 – 4, as consolidated. A voice vote was unanimous.

MOTIONS CARRIED
RESOLUTIONS ADOPTED

RESOLUTION 5

5. 2007-07 – Cara L. & Kevin P. Reiser, 8576 Buckhart Road, Rochester – Granting a Variance. County Board Member – Andy Goleman, District #4.

A motion was made by Mr. Goleman, seconded by Mrs. Musgrave, for the adoption of Resolution 5. 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 on the motion to adopt Resolution 5.

MOTIONS CARRIED
RESOLUTION ADOPTED

RESOLUTION 6

6. Resolution approving the final plat of the Benanti-Benanti Minor Subdivision.

A motion was made by Mr. Snell, seconded by Mr. Fraase, for the adoption of Resolution 6. A voice vote was unanimous.

MOTION CARRIED
RESOLUTION ADOPTED

WAIVER OF TEN-DAY FILING PERIOD

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

MOTION CARRIED
TEN-DAY FILING PERIOD WAIVED

RESOLUTIONS 7 - 9

7. Resolution approving the purchase of new computers for the Sheriff’s Office.

A motion was made by Mr. Buecker, seconded by Mr. Smith, for the adoption of Resolution 7. A motion was made by Mr. Bunch, seconded by Mr. Pace, to consolidate Resolutions 7 – 9. Chairman VanMeter asked the Clerk to read Resolutions 8 and 9.

8. Resolution authorizing the purchase of radio equipment for the Office of Emergency Management.
9. Resolution authorizing the County Board to appoint a special committee to

work with other entities in the design of a joint emergency preparedness entity.

A voice vote was unanimous on the consolidation.

Mr. Kamper asked if they did not need to get a bid on Resolution 8 because it was a sole source of equipment. He asked where they get the authority to not bid certain things that are sole source.

Ryan McCrady, County Administrator, stated that the County purchasing guidelines require any time something is bought in excess of \$10,000 it would need full County Board approval. The County Code talks about potential situations where you have to sole source things such as adding to a system that already exists like they have with the radio systems. The guidelines do not require they get a certain number of bids in this situation, but they do need to go before Committee and get County Board approval.

Jim Grohne, Assistant State's Attorney, stated that there are exceptions in the statutes where you are allowed to go without bids and he stated that he would provide copies of the Illinois State Statutes for Mr. Kamper.

Mr. Mendenhall stated that with this he did request a second and third bid after he found that wireless held the service contract on the equipment. It was very difficult to get anyone else to submit a second bid because they would have had to use wireless as their installation, so they would have ended up with wireless anyway. He apologized for this confusion.

A motion was made by Mr. Goleman, seconded by Mrs. Scaife, that the roll call vote for Resolution 1 stand as the roll call vote for Resolutions 7 – 9, as consolidated. A voice vote was unanimous.

**MOTIONS CARRIED
RESOLUTIONS ADOPTED**

OLD BUSINESS

- A. Resolution 9 – Tabled 2/13/07
2006-68 – Text amendment to the Sangamon County Zoning Ordinance regarding Banquet Halls.

A motion was made by Mr. Moore, seconded by Mr. Goleman, for the adoption of Resolution 9. A motion was made by Mr. Moore, seconded by Mr. Griffin, to suspend the normal procedural rules and allow anyone wanting to speak in favor or against this petition to speak for a total of 3 minutes on each side. A voice vote was unanimous.

Chairman VanMeter asked the professional staff to give the procedural history of the case. Randy Armstrong stated that this text amendment would make a banquet hall a

conditional permitted use in the agricultural district. Susan Poludniak stated that the staff recommends approval because there are some locations where certain circumstances would make it appropriate for a banquet hall and there would be compatibility with nearby land uses. Mr. Armstrong stated that the Zoning Board of Appeals concurs with the staff report and recommends approval of the text change.

Patricia Rudolph, objector, residing at 16657 Old Jacksonville Road in New Berlin, addressed the Board. She stated that she believes most farmers of Sangamon County are not aware of this zoning issue and would be opposed if they did know about it. This would be adding an unrelated commercial use to agricultural zoned land. Some commercial activities such as fertilizer plants, elevators, and even an ethanol plant need to be added to agricultural land, but a banquet hall is not an agricultural use. She explained that she manages farms all the way from Lanesville to Island Grove and she does know what farmer's issues are. Farmers use huge equipment which are not particularly maneuverable and take up a lot of room in traffic. The rural roads are not a place where they need a lot of traffic. When you put this traffic on these kinds of roads with the traffic that is already there it could be a deadly combination. Farmers also have to plow and combine, so on windy days people with respiratory problems would have major problems with the dust in the air. The farmers are also not organic farmers, but they do use chemicals responsibly. If soybean rust is detected in a soybean field they have 3 days to apply fungicide or they would be out of a crop. They should not have to worry if there is a banquet going on in the area during this time. Other issues would be with water, sewage, fire protection, and emergency response. This zoning would be spot zoning with a non-agricultural use in an agricultural zoned area.

Mr. Stumpf stated that this is being added along with things such as bed and breakfasts, lighted golf courses, fairgrounds, and picnic grounds that are already allowed there. Ms. Rudolph stated that there still would not be the quantities you would have with a banquet hall.

Mr. Fulgenzi stated that he does not understand the rationality of why people at the banquet halls should worry about the planes flying over with insecticides when there are already people who live out there who have to deal with it. There should be rules governing this and it shouldn't be allowed where anybody could be hurt.

Mr. Mendenhall explained that most people are not aware of this, but the people who live there understand how the farming community works. This would not be a good mix. It is an agricultural community and should stay that way. If they are going to infringe the business district into the agricultural community they are putting the farmers in a liable situation they don't need.

Mr. Hall asked if a banquet hall would hurt the value of a person's home and how they enjoy their home and if it would be an issue that is really not an agricultural issue. Ms. Rudolph stated that she does think the traffic issue would be a problem. The people in the rural areas would probably not find a home as desirable if it is next to a banquet hall.

Mr. Moss stated that even if this text is changed they would still have to come back for a conditional permitted use and the public would still have the same voice when they vote on the zoning change.

Mr. Forsyth asked if there is any record of people who have died from these chemicals. Ms. Rudolph stated that she does not know but they are as careful as they can be. Putting extra people in this situation that do not have an understanding of it is not responsible.

Mr. Goleman explained that farmers today provide the safest, best quality, and cheapest food in the world and they are very careful in what they do. He stated that he is a farmer, but will be voting in favor of this text amendment. He explained that he knows a farmer who resides in Springfield and has ground classified as agriculture. He is going to retire because the value of his ground continues to increase as time goes on. Maybe, because of this text amendment, it would be an opportunity for this farmer to get a conditional permitted use so they could put a banquet hall there. That ground is zoned as agriculture also, but this is a case where it would be applicable. Not all places would be applicable and all this text amendment does is gives an opportunity to put it on as a conditional permitted use as a possibility. There is a regular process they would have to go through where the public would have the opportunity to give their comments. This just gives the property owner another opportunity to do something with their ground.

Mr. Moore concurred with the Mr. Goleman's comments. He stated that they are constantly looking at zoning regulations and are trying to help owners of property use their land more efficiently and effectively and they think this goes toward that effort.

Mr. Hall stated that he has spoke to a lot of people about this. The Board's job is to steer zoning and business and to improve Sangamon County. He explained that he does not question the person who is bringing this on the floor but he questions whether they need this. It has already been proven over the years to allow banquet halls built where they belong which is close to town and close to infrastructures. To allow a banquet hall so far out in the rural area or so far away from an infrastructure and fire houses would be really dangerous.

Chairman VanMeter asked for a roll call vote on the motion to adopt Resolution 9. Upon a roll call vote, there were 24 Yeas – 4 Nays.

MOTIONS CARRIED RESOLUTION ADOPTED

- B. Resolution 10 – Tabled 2/13/07
2007-01 – Dennis & Diana McEvoy, 5813 Possum Trot Road, Rochester -
Granting Variances. County Board Member – Andy Goleman, District #4.

A motion was made by Mr. Goleman, seconded by Mr. Stephens, for the adoption of Resolution 10. 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 on the motion to adopt Resolution 10.

**MOTIONS CARRIED
RESOLUTION ADOPTED**

- C. Resolution 11 – Tabled 2/13/07
2007-02 – Melissa Myers, 7103 Irwin Bridge Road and 7285 Spring Street, Pleasant Plains – Granting Variances. County Board Member – Tom Fraase, District #1.

A motion was made by Mr. Fraase, seconded by Mrs. Scaife, for the adoption of Resolution 11. 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 on the motion to adopt Resolution 11.

**MOTIONS CARRIED
RESOLUTION ADOPTED**

- D. Resolution 12 – Tabled 2/13/07
2007-03 – Andrew Goleash, 3000 Block of Colt Road, Springfield – Granting a Rezoning and Conditional Permitted Use. County Board Member – Dennis Wieland, District #8.

A motion was made by Mr. Wieland, seconded by Mr. Tjelmeland, for the adoption of Resolution 12. 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 on the motion to adopt Resolution 12.

**MOTIONS CARRIED
RESOLUTION ADOPTED**

- E. Resolution 13 – Tabled 2/13/07
Resolution approving the designation of the George Brunk Farmstead as a Sangamon County historic site.

A motion was made by Mr. Hall, seconded by Mrs. Musgrave, for the adoption of Resolution 13.

Mr. Goleman asked Mr. Hall if the property would have to remain like it is if it changes hands since it is a historic site. Mr. Hall stated that the zoning would go with the property so it would go with the new owner. There are not really any restrictions on this.

The point of this would be so they could qualify for any state or federal improvements. Federal requirements would require property to be on the historic registry.

Mr. Goleman stated that it would take money for the upkeep of this property.

Chairman VanMeter explained that this designation can only be made by this Board if the current property owner agrees to it. The designation is an award and not a restriction. It makes the property eligible for grants and aid if the present or future owners wish to do so.

A voice vote was unanimous on the motion to adopt Resolution 13.

MOTION CARRIED
RESOLUTION ADOPTED

NEW BUSINESS

A. Resolutions

There were no new resolutions.

B. Appointments

Appointment of Sandra Douglas to the Citizens Advisory Board for a term expiring July 2008.

Reappointment of Sam Snell to the Citizens Advisory Board for a term expiring July 2008.

Appointment of Charles Lockhart to the Land Use Advisory Board for a term expiring November 2008.

Appointment of John Endris to the Sangamon County Board of Health for a term expiring February 2009.

Appointment of Richard Rentschler to the Emergency Telephone Systems Board /E-911 to a 2-year term expiring January 2009.

Reappointment of Sharmin Doering to the Capital Fund for a term expiring December 2007.

Appointment of Carolyn Oxtoby to the Community Services Block Grant Advisory Committee (CSBG) for a term expiring March 2008.

Appointment of Linda Williams to the Community Services Block Grant Advisory Committee (CSBG) for a term expiring September 2008.

Appointment of Brad Mills to the Community Services Block Grant Advisory Committee (CSBG) for a term expiring September 2008.

Appointment of Joe Kim to the Community Services Block Grant Advisory Committee (CSBG) for a term expiring September 2008.

Appointment of Sharon Beeler to the Community Services Block Grant Advisory Committee (CSBG) for a term expiring October 2008.

Reappointment of Michelle Tucker to the Community Services Block Grant Advisory Committee (CSBG) for a term expiring October 2008.

Appointment of Susan Sims to the Community Services Block Grant Advisory Committee (CSBG) for a term expiring September 2009.

Appointment of Greg Crocher to the Community Services Block Grant Advisory Committee (CSBG) for a term expiring February 2010.

A motion was made by Mrs. Long, seconded by Mrs. Turner, for approval of the appointments. A voice vote was unanimous.

MOTION CARRIED
APPOINTMENTS ADOPTED

COMMITTEE REPORT ON CLAIMS

A motion was made by Mrs. Long, seconded by Mrs. Turner, to place the Committee Report on Claims on file with the County Clerk. A voice vote was unanimous.

MOTION CARRIED
REPORT FILED

RECESS

A motion was made by Mrs. Turner, seconded by Mrs. Long, to recess the meeting to April 11, 2007 at 7:00 p.m. A voice vote was unanimous

MOTION CARRIED
MEETING RECESSED