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## **MINUTES**

### **SANGAMON COUNTY BOARD**

**FEBRUARY 13, 2014**

The Sangamon County Board met in Reconvened Adjourned September Session on February 13, 2014 in the County Board Chambers. Chairman Van Meter called the meeting to order at 7:04 p.m. Mr. Smith gave the Invocation and Mr. Ratts led the Board in the Pledge of Allegiance.

### **ROLL CALL**

Chairman Van Meter asked the County Clerk to call the roll. There were 26 Present – 3 Absent. Mrs. Douglas Williams, Mrs. Sheehan and Mr. Snell were excused.

### **PROCLAMATIONS**

Mr. Fraase presented a proclamation to former and current county highway engineers in recognition of the 100<sup>th</sup> year celebration of having a highway engineer in Sangamon County. Phil Koeberlein and John McCree, former highway engineers and Tim Zahrn, current highway engineer, were all present to accept the proclamation.

## **MINUTES**

A motion was made by Mr. Montalbano, seconded by Mr. Bunch, for approval of the minutes of January 14, 2014. A voice vote was unanimous.

**MOTION CARRIED**  
**MINUTES ADOPTED**

## **CORRESPONDENCE**

A motion was made by Mr. Bunch, seconded by Mr. Montalbano, to place the correspondence on file with the County Clerk. A voice vote was unanimous. There was no correspondence filed.

### **RESOLUTION 1**

1. 2013-057 – Crystal Lappe, 3313 N. Mount Pulaski Road, Illiopolis – Granting Variances. County Board Member – David Mendenhall, District #3.

A motion was made by Mr. Mendenhall, seconded by Mrs. Fulgenzi, to place Resolution 1 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 1.

MOTIONS CARRIED  
RESOLUTION ADOPTED

### **RESOLUTION 2**

2. 2014-001 – Bobby Oller, 13560 Bab Road, Auburn – Granting a Variance. County Board Member – Sam Snell, District #6.

A motion was made by Mr. Fulgenzi, 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. 2014-002 – Chris Schaller, 4907 Gaule Road, Springfield – Granting Variances. County Board Member – Sarah Musgrave, District #9.

A motion was made by Mrs. Musgrave, seconded by Mrs. Scaife, 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. 2014-003 – Timber Ridge Properties, 6429 S. Cantrall Creek Road, Cantrall – Granting a Rezoning and a Variance. County Board Member – Mike Sullivan, District #11.

A motion was made by Mr. Sullivan, seconded by Mrs. Small, 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.

MOTIONS CARRIED

RESOLUTION ADOPTED

A motion was made by Mr. Stumpf, seconded by Mr. Montalbano and Mr. Bunch, to go out of the regular order of business and proceed to Resolutions 6 and 7. A voice vote was unanimous.

**RESOLUTION 6**

6. 2014-005 – Elizabeth A. Mendenhall as Trustee for Norma T. & Robert Lee Pulliam Trust, Granting a Rezoning and Variances. County Board Member – Mike Sullivan, District #11.

A motion was made by Mr. Sullivan, seconded by Mr. O'Neill, to place Resolution 6 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 6.

MOTIONS CARRIED

RESOLUTION ADOPTED

**RESOLUTION 7**

7. 2014-006 – Deborah McTaggart, in the 5600 block of E. Divernon Road, Pawnee – Granting Variances. County Board Member – Andy Goleman, District #4.

A motion was made by Mr. Goleman, seconded by Mr. Ratts, 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 5

5. 2014-004 – Robert & Beth Kaufmann, 8220 Farmington Cemetery Road & in the 8200 block of Farmington Cemetery Road, Pleasant Plains – Granting an amendment and variances. County Board Member – Harry “Tom” Fraase, Jr., District #1.

A motion was made by Mr. Fraase, seconded by Mr. Hall, to place Resolution 5 on the floor. A motion was made by Mr. Fraase, seconded by Mr. Bunch and Montalbano, to suspend the rules and allow the proponent and opponent to each speak for five minutes instead of the normal three minutes. A voice vote was unanimous. Chairman Van Meter asked the professional staff to give the procedural history of the case.

Cyndi Knowles, professional staff, stated the petitioner is requesting for proposed A (consisting of proposed lots 1-19 and 1001) a rezoning from “A” agricultural district to “R-1” single-family residence district and a variance to allow the lot depth to be greater than two and one-half times the lot width for proposed lots 4, 5, 13, 14 and 1001. For proposed B they are requesting a variance to allow the lot depth to be greater than two and one-half times the lot width. Molly Berns, professional staff, stated the staff recommends approval of the requested “R-1” zoning for proposed portion A. The land evaluation and site assessment score of 146 indicates the property is deemed acceptable for non-agricultural development. There have been several single-family residences built in the immediate area and this appears to be the trend of development. Recommend approval of the requested variances for proposed portion B. The standards for variation are met. Allowing the proposed subdivision will likely increase the traffic; however, the parcel is located on the corner of two major county roads, and there will be access to the proposed residential lots from both roads. Public water is also available on the site. Mrs. Knowles stated the Zoning Board of Appeals concurs with the staff report and recommends approval of the proposed rezoning and variances.

The proponent, Robert Kaufmann, residing at 8220 Farmington Cemetery Road in Pleasant Plains, addressed the board. He stated everything is in the packets they received so he will speak after the opponents have spoken.

Gordon Gates, attorney for the objector Nancy Guernsey, addressed the board. He asked people in the audience who were opposed to this to raise their hands. What they have here is a very straight forward situation. There is an issue that goes right to the heart in what you are required to do with zoning. The theory of zoning is to try to insure that the use by one person of their property does not unusually or unreasonably impose on the use of the neighbor. That is why they have zoning. This case tonight is really all about that. Your predecessors voted to make this property “A” Agricultural for good reasons. Right now you have a situation where someone is asking to change it. The presumption is that it stays the way it was when you did it originally and the way the neighbors expect it to be. If you are going to change your mind, you should have some good reasons and have some good evidence. He suggested this evidence doesn’t exist here.

They filed an objection and Mr. Kaufmann filed a response. There is nothing in the packets that suggest you were wrong when this was originally zoned "A-1". This is a situation where Mr. Kaufmann decided he could make more money if he turned this into high density residential. That is true with everybody in many situations. That is not a legitimate zoning reason. There is not a big demand for residential housing in that neighborhood. There is no reason why this farm can't be farmed. His client, Nancy Guernsey, owns the property next door, and has been farming that ground for 66 years. It works perfectly fine. There are no reasons, in front of them, why they would change their mind and say this should be done. There has been a lot of talk about hunting rights. There is a weird confluence of two statutes. There is the D.N.R. statute that says Ms. Guernsey can't use her ground to hunt on if all these houses are placed there. They have some maps showing she can't hunt on her ground anyway. The maps are interesting, and Molly did a great job, but they are not the point. Right now, the statute reads if they ask permission and the neighbors/homeowners says they can hunt in their back yard within 300 yards, it works. Right now, Ms. Guernsey and her sons have three people they have to ask permission from to hunt. They have been hunting there for 66 years. If this passes, they will have 23 people to ask permission from. The three people there now are rural folk and recognize the hunting heritage and the benefit of hunters. The 20 people coming here will most likely be from the city and will not understand hunting, the value of it, or they won't understand if it's dangerous or not. They will not be able to get permission from 24 different people.

Mr. Bunch stated they did put a committee together for zoning so there would be some restrictions because people were building and doing what they wanted to. There are many acres they have already passed at zoning which were already agricultural, but there are subdivisions sitting there. The zoning we passed had little merit in saying there couldn't be a subdivision. He is under the understanding that the petitioner is willing to move some of the property out of the way so they can hunt. I think that was one of her main concerns. What the petitioner is requesting is legal. It is not a gun club, a rifle range or a police academy. It is for a family to hunt on. He appreciates that and he respects that. This gentleman is telling them he is willing to move some stuff around so they can hunt. Ms. Guernsey said tonight that is all she wants done. He does want to ask Mr. Kaufmann if he agreed to this.

Mr. Goleman asked if there was an effort made to address their concerns with the proponent. Mr. Gates stated there was, and they got nowhere. Nancy and her son Todd met with Mr. Kaufmann, and that didn't get anywhere. Mr. Gates stated he listened to the audio from the Zoning Board of Appeals meeting, and there were various things discussed, but Mr. Kaufmann refused to commit to anything despite questions from the Zoning Board of Appeals. There was also a meeting directly between his client, Mr. Kaufmann and Mr. Fraase and they tried again. Everything they proposed was shot down. He did not commit to do anything, and that is why they are here. He hoped there was an easy solution. There's Lots 4 and 5 up against the property and they can draw the line straight down and say there would not be any houses there, and they would be done. He thought he wouldn't need to be here tonight. None of those suggestions got any traction at all with Mr. Kaufmann. He is not saying Mr. Kaufmann is a bad guy, but they did attempt and tried everything they could, but he wouldn't agree to anything.

Until somebody says “this is what I promise to do” and it is on the record and becomes something he can enforce, he does not have anything.

Mr. DelGiorno asked Mr. Gates if he had initially said he wants Lots 4 and 5 to not have any buildings on it at all. Mr. Gates stated that is correct. He asked if it would satisfy them if they moved it back 200 plus feet. Mr. Gates stated the problem is this is coming to them now. It would have been nice to have this discussion a week ago on Super Bowl Sunday when they had this meeting. He has not had a chance to sit down and talk with his client. If he looks at Lots 4 and 5 and he is talking about moving it 300 feet, it is almost the same thing they are asking for. He does not know what Mr. Kaufmann is committed to do. His client has been suggesting for months, as a solution, they could continue the east line of his property all the way down to the south boundary of the property, and say there will be no houses built west of that line. It would be very easy to do, because that far west chunk of those two lots is flood plains and has a very significant slope. It is very easy for him to envision that Mr. Kaufmann could get the same number of buyers and lots if he agreed to just continue that line down and say he is building no houses west of that line. They have been saying that for weeks, and it got nowhere. Mr. DelGiorno asked if there would be an option for a restrictive covenant to be put in to ensure the hunting rights could not be infringed on. Mr. Gates explained there are two laws that are an issued here and, unfortunately, they can't control one of them. This is a D.N.R law and can't be changed by covenant, by the County Board or by them. The only thing they can possibly envision is if there is a covenant saying if you buy a lot you must sign a form giving permission. It couldn't just be in the covenant. According to D.N.R., it would have to be actual written permission for that hunting season. So, there would have to be a convenient in the subdivision that says if you buy a lot here you would have to give permission, on an annual basis, to the Guernsey's to use the lot.

Mr. Krell asked if hunters are required to ask permission to hunt from the 25 to 30 homeowners that are there now. Mr. Gates stated they would have to ask permission from them also. The Guernsey's have all the property to the west. The only people the Guernsey's would have to ask permission from to hunt are the Kaufmanns, Mr. Boesdorfer and Philip Kaufmann. Ms. Guernsey stated they haven't had any problems with them in the past. Mr. Gates stated they hunt on each other's grounds. They are talking about 24 new folks probably coming in from the city, and they are not going to give them permission. They are just not, simple as that.

Mr. Fulgenzi stated he doesn't understand what the difference would be if this land was sold when you can only hunt on a certain percentage of it now. He asked why you couldn't go out 100 feet from your property and just shoot back towards your property. Mr. Gates stated you cannot discharge a firearm within 300 yards of an occupied residence. Mr. Fulgenzi stated you can if you get permission, so you could give yourself permission. Mr. Gates stated it would have to be the person who has the occupied residence. Mr. Gates stated if you look at the map, Mr. Kaufmann's home currently is in the northwest corner of the lot he is attempting to zone. His home has a protected area, a circle, of 300 yards that they would have to ask permission from him to discharge a firearm or even hunt with a dog.

Right now they have permission to hunt this entire area, which includes all 60 acres of the Guernsey farm because the Kaufmanns and Boesdorfers have given them permission to hunt. Right now they can hunt anywhere on the property they want. Mr. Fulgenzi asked if that permission goes forward for infinity. Mr. Gates stated it does not. Mr. Fulgenzi asked if he could negate the permission at any time. Mr. Gates stated he could. Mr. Fulgenzi stated he does not understand the problem then because if he negates the permission you are right back to square one. Mr. Gates stated if he negates the permission, all he can prevent them from hunting on is this one semi circle in the corner here. That is all he controls right now. They still have the section on the bottom and the section on the northwest corner. Mr. Fulgenzi asked if they are only allowed to hunt in certain areas right now. Mr. Gates stated they are allowed to hunt everywhere now. Mr. Fulgenzi asked if they wouldn't be allowed to hunt if he negates his permission. If Mr. Kaufmann negates his permission and says they can't hunt within 300 feet of his house, then he will prevent them from hunting on probably 25% of their ground. They would still have the right to hunt the rest of their ground. But, if he negates his permission and puts 20 houses on the rest of the property and they won't give permission, then they are done. Pretty much all of the ground would be gone.

Mrs. Fulgenzi asked if it is Lots 4 and 5 that are south of the Kaufmann's property. Mr. Gates stated that is correct. Mrs. Fulgenzi asked if it would only be Lots 4 and 5 they would have to get permission from and not 20 lots. Mr. Gates stated they would now have to get permission from all 20 of the people. He clarified that the ground on the map with the red line around it is the Guernsey ground.

Mr. Stumpf stated they have not even heard from the proponent yet. They are dealing with two issues here. Both families have the right to defend their property as they see fit. The entire subdivision the proponent is proposing does meet all the criteria of the Sangamon County rules and statutes right now. He is saddened they could not come to some form of an agreement. He is an avid hunter himself, but the petitioner is meeting all of the criteria of the subdivision he is proposing. If this passes tonight, it doesn't mean there is going to be a subdivision there. There are a whole host of other things that would have to happen. They would have to meet the requirements of the land subdivision ordinances and the Department of Public Health. He asked Mr. Gates if they don't agree that Mr. Kaufmann is meeting every single criterion of their ordinances for what he is asking. Mr. Gates stated he does not agree with that. The criteria are your judgment. There is nothing that says if he filled out this form you would have to rezone his property. There are no criteria. It is your judgment. Should the 60 acres of farm ground be yanked out of production and filled with a high density residential area? He has filled out the forms, paid the fee, published the notice, but you guys still have to make a decision as politicians and leaders of the community if this makes sense. You made a decision and zoned it "A-1". Should it stay "A-1"? This gentleman convinced them that it is the good of the community as a whole and not just Mr. Kaufmann, that they have houses in there that will impact a lot of things. There has been some question about a firehouse. He does not know where that came from because the closest firehouse is eight miles away. It doesn't make sense to him. There is also no sewer there. There will be 20 houses on septic which all flow towards his client's property. He thinks that is something they should consider.

Mr. Stumpf clarified that they don't consider that in zoning for the watershed and all that. That comes after the fact from the Department of Public Health. He does meet all the criteria they are talking about right now. He really does want to hear from the proponent.

Mr. Kaufmann addressed the board. Regarding this being agricultural, when they bought the land 25 years ago it was divided up into 16 different lots. So at this point, if they hadn't managed the land the way they have, there could be 16 houses sitting here right now. An addition of a few more houses doesn't seem to really change what this land was always intended for or had been intended for from the time they bought it. They have been accused of doing this to make money. The primary reason they are doing this is to allow for a fire station substation to be built in this area. He is a fireman, sits on the fire board and is chairing the committee that is looking at where and why to place this. The other reason they are doing this is so their kids will have a place to build their lots. They do not want to buy 12 or 14 acres. They just want 1 to 3 acres. The only way to do this, with present regulations, is to subdivide the property, and that is what they are doing. When they are subdividing it they are making up all these different lots. He does not know whether they will sell them or not. It has never been their intention to sell a whole bunch of lots and build a subdivision here, but that is the only way they can do it within the confines of the regulations they have now. They would also like to downsize from their present place and still stay in the small area. They can't do that without subdividing. Mr. Gates was not at the meeting, so he misspoke on several things. They did present several different things, including moving back the houses. That was rejected, so that is why they have not made any commitments.

Mr. Bunch stated he was told Mr. Kaufmann was willing to move some of the property line to avoid the hunting area. Mr. Bunch felt his word is good, but he wanted to ask him before the board. When he talked to the lady earlier tonight, her concern was if it was just moved this way it would not hamper their hunting at all. He was told by some of the zoning people that he was willing to do that. They said they haven't talked to you about that, so we are talking about it now. Mr. Bunch stated he does hope Mr. Kaufmann is willing to do that so they can get this thing settled. Mr. Kaufmann stated to Mr. Bunch that he misheard because they did present that at the meeting and Tom was there. Mr. Bunch stated that he wasn't there. Mr. Kaufmann said he has been accused several times that he never presented this to them. It is kind of bothering him because that was the thing he did present. It was suggested by the Planning Commission so he presented exactly that to them. Mr. Bunch stated he asked him here before this board and he trusts his word. Mr. Kaufmann stated when they originally did the maps; she placed the houses 50 feet from the west property line. You can't place them there because that is in a floodplain anyway. They would have to be moved further back. He looked at leaving the draw there for them to hunt and place the houses 300 yards from there. That made sense because they would still fit on the lots, but they completely rejected it. Mr. Bunch asked if he still wants to do that. Mr. Kaufmann stated he did. Mr. Bunch stated if he still wants to do that he thinks they can come to some kind of vote on this tonight. Mr. Kaufmann stated he does not know where they can even place these because they haven't done any of the soil samples or anything else. He has just talked to the individuals at the Department of Public Health. He thinks that is more of a thing for the land use than it is for the zoning. He would like to ask the board to pass it the way it was presented to them and was recommended by the

staff. These issues can come up again, and he doesn't know where the houses can go for sure. Mr. Bunch asked if he is willing to move it now. Mr. Kaufmann stated he is not willing to commit to say yes he will move it. If the board says that is the only way they will pass it, then yes that is fine. It may end up that they can't put any houses back there anyway. He doesn't know yet.

Mr. Mendenhall asked if the fire department has made any recent commitment to accept or deny your offer, to move forward or to not move forward. Mr. Kaufmann stated they are in the process right now of studying where to put the fire substation. There are two locations that look the best. One is the corner of his property and the other is down at the end of Farmingdale Road and 125. Right now that property is not available because they only asked for ½ acre and it is going to require at least an acre to put the substation there. Right now his property is the only property available for the substation. They are hoping to be able to get more land down at the end. Mr. Mendenhall asked if they have made commitments to him yet. Mr. Kaufmann stated they have not. They are still in the process of determining where it is going to go. Mr. Mendenhall asked if they have the financial resources to do that at this time. Mr. Kaufmann stated they do according to the board members.

Mr. Hall stated he is a firm believer that you know you do a good job in this room when both parties are equally unhappy. He quite honestly wishes they would have worked this out. He does not want to vote on anything that is not complete in front of them. They are saying they could move it and they are not going to move it. He asked if there was discussion between them. Mr. Kaufmann stated there was discussion. Mr. Hall stated he can stand up there and say every house out there is going to be painted orange. He asked the State's Attorney if it is able to hold up if it is not in ink. Dwayne Gab, Assistant State's Attorney, stated there are a couple things going on. One is this is not the petition before the board, so it hasn't amended. The other thing would be whether they are venturing into the land of contract zoning. He thinks that is quite likely. He would want a legal review of any kind of proposal before he makes that decision. He thinks it is possible to do those things, but not possible to do them tonight. He is not really sure what vehicle the professional staff was contemplating for making that kind of agreement. He can think of a few, but he is not really representing the proponent or opponent here.

Chairman Van Meter asked Mr. Kaufmann if he would oppose if a board member were to make a motion this evening to table this resolution so the parties could explore some kind of binding compromise. Mr. Kaufmann stated he would not oppose the motion, but he does not think there is going to be any compromise because they have not agreed to what they presented. They presented moving those houses back and they didn't want that.

Mr. Gates gave his rebuttal. He stated to Mr. Bunch that he thinks he just heard the same thing that was heard when he listened to the audio from the Zoning Board of Appeals. The question was posed if he would agree and he said "I will think about it, talk about it and maybe I will think about it". He will not commit. You just heard him and you watched exactly the same thing that happened at every meeting they had with him where they tried to get him to commit to something. They have offered something, and you just heard him say it. They offered to say they

have no objection if you draw that line straight down from the north to the south, not build any houses there and commit to it. They have said it about 20 times. They said it to him in his face and in front of Mr. Fraase. He will not agree to it. While he appreciates the chairman's comments, he thinks they have just seen the problem he is having. You watched it in real live color that he will not commit to this. He can say he will think about it and will talk about it, but they can't get anywhere. Right now the petitioner's position is to do it his way or the highway. Mr. Gates stated that is the problem he is having with this. If Mr. Kaufmann would say tonight in front of them he commits to do something or make some concession, then they would be more than happy to talk to him about it and listen to it. He won't do it and that is the problem they are having.

Mr. Fulgenzi asked Mr. Gates if he would agree to it if Mr. Kaufmann would say he will move that line back 250 feet from the present line or whatever it is they are talking about. Mr. Gates stated they would. Mr. Fulgenzi asked what they want the petitioner to do. Mr. Gates stated they want exactly what he said today and what he said before, which is to take the line that is the east edge of curtilage of his homestead and draw that from the north straight all the way to the bottom and say there will be no houses built to the west of that line. They will be fine with that and will withdraw their objection, although it isn't perfect and they don't like it. Mr. Fulgenzi asked if it is 250 feet. Mr. Gates stated he does not know what the measurements are. Mr. Fulgenzi stated he didn't hear anything that admits to an agreement. Mr. Gates stated he can't make an agreement by himself. He can make an offer which is to take the east line to his homestead property and draw it from the north to the south and commits to not build any houses to the west of that line. Mr. Fulgenzi asked how many feet or yards that is. Mr. Gates stated he doesn't have any clue because he doesn't have his crayons, but he is going to say 200 feet. Chairman Van Meter stated they are not going to craft a detailed compromise on the floor of the county board.

Mr. Stump agreed they shouldn't vote on anything like that tonight unless it went back through the professional staff to give the recommendation or unless they decided tonight that it could happen. You are saying if they draw a straight line from north to south, then you are basically saying Lots 4 and 5 would be eliminated from his proposal. Mr. Gates clarified that they would be eliminated from where they can build houses. He could still sell them and put a house around that line. This configuration is a proposal as Mr. Kaufmann just said. It can be reconfigured. You can put houses right on that line. Mr. Stumpf stated both owners have the right to defend their property to try and keep their hunting rights, but Mr. Kaufmann also has the right to move forward with what is legal for a subdivision. He is also saddened that they cannot come to an agreement. When the homeowners are here, most of the time, they do come to an agreement. Ultimately, they will vote on this one way or another.

Mr. Krell referred back to the proposal for some land given to the fire protection district for Pleasant Plains. He is familiar with that area, was in the fire department for over 20 years, was stationed on the west end and made several calls in that area. There is a concentration of quite a few houses out there. This gentleman is on that board and is willing to give up ground to do something about it and put a substation there. He asked Mr. Gates if his client is willing to give up ground for a substation or go in that direction also.

Mr. Gates stated they are. What is confusing is that he can find no evidence that Mr. Kaufmann's offer has been accepted by anybody, that anybody is interested in it or that anybody is willing to do it. Mr. Krell stated it has been looked at. There is already a lot of concentration out there. Mr. Gates agreed that there is. He stated that he can find no support that this statement is going to be voted on or that anybody is going to accept that. As far as he knows, that is just something he is talking about. In fact, they understood that it has actually been voted down.

Mr. Fraase stated he thinks they are talking about two different matters here. They talked about eliminating Lots 4 and 5, and Mr. Kaufmann had presented moving the houses or residences off the property line. He does not think anything is going to get worked out tonight. A motion was made by Mr. Fraase, and there was a second, to table Resolution 5 so they can figure out something for next month's meeting. Chairman Van Meter clarified that perhaps they have heard enough tonight that there is the possibility of a compromise. The board is willing to give the parties one month to try to seek a compromise. If not, the board will deal with the petition. A voice vote was unanimous to table Resolution 5 for one month only.

MOTIONS CARRIED  
RESOLUTION TABLED

#### **RESOLUTIONS 8 – 10**

8. Resolution approving the final plat of Homer Minor Subdivision.

A motion was made by Mr. Stumpf, seconded by Mr. Smith, to place Resolution 8 on the floor. A motion was made by Mr. Bunch, seconded by Mr. Smith, to consolidate Resolutions 8 – 10. Chairman Van Meter asked the County Clerk to read Resolutions 9 and 10.

9. Resolution amending the smoking policy section of the county employee handbook.

10. Resolution approving an intergovernmental agreement with the Illinois Department of Central Management Services to establish an iBid account to sell surplus county equipment.

A voice vote was unanimous on the consolidation. Chairman Van Meter asked for a roll call vote on the motion to adopt Resolutions 8 – 10, as consolidated. Upon the roll call vote, there were 25 Yeas – 0 Nays.

MOTIONS CARRIED  
RESOLUTIONS ADOPTED

**WAIVER OF TEN-DAY FILING PERIOD**

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

MOTION CARRIED  
TEN-DAY FILING PERIOD WAIVED

**RESOLUTION 11**

11. Resolution approving the low bid for the lighting upgrade contract.

A motion was made by Mr. Fulgenzi, seconded by Mrs. Scaife, to place Resolution 11 on the floor. A voice vote was unanimous for the adoption of Resolution 11.

MOTION CARRIED  
RESOLUTION ADOPTED

**RESOLUTION 12**

12. Resolution adding territory to the Lincoln-Logan County Enterprise Zone.

A motion was made by Mr. Goleman, seconded by Ms. Deppe, to place Resolution 12 on the floor. A voice vote was unanimous for the adoption of Resolution 12.

MOTION CARRIED  
RESOLUTION ADOPTED

**OLD BUSINESS**

A. Resolution 7 – Tabled 1/14/14  
2013-059 – Albert L. Richardson, 7374 N. State Route 29, Springfield – Granting  
Variances. County Board Member – Todd Smith, District #2.

A motion was made by Mr. Stumpf, seconded by Mr. Montalbano and Mr. Bunch, to take Resolution 7 from the table. A voice vote was unanimous. 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

**NEW BUSINESS**

A. Resolutions

There were no new resolutions

B. Appointments

Appointment of Bert J. Barlow to the Sangamon County Workforce Investment Board for a term to expire October, 2014.

Reappointment of Jennifer Ludwig to the Sangamon County Board of Health for a term to expire February, 2017.

Reappointment of Jeffrey Bierman to the Sangamon County Board of Health for a term to expire February, 2017.

Appointment of Ralph Hanauer to the Sangamon County Building Code Board of Appeals for a term to expire November, 2014.

Appointment of Judy Johnson to the Sangamon County Sewer Rebate Benefit Board for a term to expire May, 2014.

Appointment of Clyde Bunch to the Sangamon County Sewer Rebate Benefit Board for a term to expire May, 2014.

Appointment of Frank Lesko to the Sangamon County Sewer Rebate Benefit Board for a term to expire May, 2014.

A motion was made by Mr. Montalbano, seconded by Mr. Bunch, for approval of the appointments. A voice vote carried. Mr. Hall voted no on the Sewer Rebate Benefit Board.

**MOTION CARRIED  
APPOINTMENTS ADOPTED**

The nominations for appointment in March were also submitted.

C. Ratification of the Sheriff's Corrections Unit Collective Bargaining Agreement.

D. Ratification of the Circuit Clerk's Laborer's Contract.

A motion was made by Mr. Smith, seconded by Mr. Bunch, to first present for ratification an agreement between the county and FOP regarding the corrections bargaining unit. He acknowledged the FOP and bargaining unit for their demeanor throughout the negotiations. They had a very cooperative effort, and they were able to achieve a fair result for both sides. Specifically for the county, there was some good long-term cost saving measures implemented. He stated he would appreciate the board's ratification of the contract. A motion was made by Mr. Smith, seconded by Mr. Bunch, to also present for ratification a contract with the Laborer's International for the Circuit Clerk's office. This is a brand new bargaining unit of the county, and this is their initial contract. The negotiations went well and he thinks they were able to establish a good fair contract with this bargaining unit, and they would appreciate their ratification on this one as well. A voice vote was unanimous on the ratification of both contracts.

MOTIONS CARRIED  
CONTRACTS RATIFIED

**REPORTS OF COUNTY OFFICIALS, REPORTS OF SPECIAL COMMITTEES,  
REPORTS OF 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

**RECESS**

A motion was made by Mr. Montalbano, seconded by Mr. Bunch, to recess the meeting to March 11, 2014 at 7:00 p.m. A voice vote was unanimous.

MOTION CARRIED  
MEETING RECESSED

**Joe Aiello**  
**Sangamon County Clerk**

