

AMENDED
DEBRA D. MING MENDOZA
COUNTY CLERK OF MADISON COUNTY
EDWARDSVILLE, ILLINOIS

AGENDA
MADISON COUNTY BOARD
SEPTEMBER 19, 2018

To the Members of the Madison County Board:

The following is the Agenda for the County Board Meeting on Wednesday, September 19, 2018.

1. Monthly Report of County Clerk, Circuit Clerk, Recorder, Sheriff, Treasurer, and Coroner.
2. Public Comment.
3. Moment of Silence-Helen Hawkins and Harry Thureau
4. Awards/Recognitions
5. Auditor's 3rd Quarter Report

A. APPOINTMENTS:

1. Canteen Creek Drainage District
 - a. James Trucano is recommended for reappointment to a new three year term.
2. Madison County Flood Prevention District
 - a. David Schwind is recommended to a three year term, replacing J. Thomas Long, who resigned on 05/01/2018.
3. Madison County Housing Authority
 - b. Bobby Collins is recommended for reappointment to a new four year term.
4. Metro East Park and Recreation District
 - a. Mary "Meg" Miller is recommended for appointment to a three year term replacing Gene Peters, who resigned on 9/17/2017.
 - b. Jerry Kane is recommended for reappointment to a new three year term.

B. FACILITIES MANAGEMENT COMMITTEE AND FINANCE AND GOVERNMENT OPERATIONS COMMITTEE:

1. Resolution to Award Contract for Emergency Repair of Prisoner Elevator at the Madison County Courthouse for Facilities Management Department.

C. FINANCE AND GOVERNMENT OPERATIONS COMMITTEE:

1. Summary Report of Claims and Transfers.
2. Immediate Emergency Appropriation-2016 State's Attorney VOCA Crime Victim's Assistance Grant.

D. GRANTS COMMITTEE:

1. A Resolution Authorizing a UDAG Low Interest Loan to the Village of East Alton.
2. A Resolution Authorizing the Submission of the 2019 Low Income Home Energy Assistance Program Grant Application for the County of Madison.

E. GRANTS COMMITTEE AND FINANCE AND GOVERNMENT OPERATIONS COMMITTEE:

1. A Resolution Authorizing Commitment to St. Louis Regional Chamber.

F. HEALTH DEPARTMENT COMMITTEE AND FINANCE AND GOVERNMENT OPERATIONS COMMITTEE:

1. Resolution to Purchase Various Vaccines from Glaxo Smith Kline for the Madison County Health Department.
2. Resolution to Purchase Various Vaccines from Merck Sharp and Dohme Corp for the Madison County Health Department.
3. Resolution to Purchase Various Vaccines from Sanofi Pasteur for the Madison County Health Department.

G. PERSONNEL AND LABOR RELATIONS COMMITTEE:

1. Resolution Authorizing Continuation of the Self-Funded Health Benefits Program and the Health Savings Account Program.
2. A Resolution Approving a Security Awareness Training Policy.

H. PLANNING AND DEVELOPMENT COMMITTEE:

1. Zoning Resolutions Z18-0048, Z18-0049, Z18-0050, Z18-0051, Z18-0056, Z18-0057.
2. Resolution Authorizing the Demolition of unsafe Buildings and Structures.

I. PLANNING AND DEVELOPMENT COMMITTEE AND TRANSPORTATION COMMITTEE:

1. Resolution in Support of the Designation of Route 66 as a National Historic Trail.

J. REAL ESTATE TAX CYCLE COMMITTEE:

1. Property Trustee Resolution.

K. TRANSPORATION COMMITTEE:

1. Agreement/Funding Resolution, North Buchanan Street Resurfacing, City of Edwardsville.
2. Agreement/Funding Resolution, 6th Street Resurfacing, City of Wood River.
3. Jurisdictional Transfer of a Portion of St. Rose Road.
4. Petition for County Aid, Chamberlain Bridge, Pin Oak Township.
5. Resolution for Improvement under the Illinois Highway Code.

L. TRANSPORTATION COMMITTEE AND FINANCE AND GOVERNMENT OPERATIONS COMMITTEE:

1. Resolution to Purchase One New 115 HP Tractor for Madison County Highway Department.

M. NEW BUSINESS:

- 1.

**AGENDA
MADISON COUNTY BOARD OF HEALTH
SEPTEMBER 19, 2018
5:00 P.M.**

To the Members of the Madison County Board:

The following is the Agenda for the County Board of Health Meeting on Wednesday, September 19, 2018 at 5:00 p.m.

APPROVAL OF THE JUNE 20, 2018 MINUTES:

HB. HEALTH DEPARTMENT COMMITTEE:

1. Activities Report.
2. An Ordinance Amending Chapter 55 Madison County Food Sanitation Ordinance.

**RESOLUTION TO AWARD CONTRACT FOR EMERGENCY REPAIR OF PRISONER
ELEVATOR AT THE MADISON COUNTY COURT HOUSE FOR FACILITIES
MANAGEMENT DEPARTMENT**

Mr. Chairman and Members of the County Board:

WHEREAS, the Madison County Facilities Management Department wishes to award a contract for the emergency repair of the prisoner elevator at the Madison County Court House; and,

WHEREAS, this repair service is available from KONE, Inc.:

Kone, Inc.
9324 Dielman Industrial Drive
Olivette, MO, 63132.....\$ 58,500.00

WHEREAS, Kone, Inc. met all specifications at a total contract price of Fifty-eight Thousand five hundred dollars (\$58,500.00); and,

WHEREAS, it is the recommendation of the Madison County Facilities Management Department to award said repair to Kone, Inc. of Olivette, MO ; and,

WHEREAS, the total cost for this expenditure will be paid from the Facilities Management Capital Projects – Emergency Building Repair funds.

NOW, THEREFORE, BE IT RESOLVED by the County Board of Madison County Illinois, that the County Board Chairman be hereby directed and designated to execute said contract with Kone, Inc. of Olivette, MO for the above mentioned Emergency Repair of the Prisoner Elevator.

Respectfully submitted by,

s/ Mick Madison
Mick Madison

s/ Lisa Ciampoli
Lisa Ciampoli

s/ Ray Wesley
Ray Wesley

s/ D.A. Moore
Don Moore

Clint Jones

s/ Philip Chapman
Philip Chapman

s/ Bruce Malone
Bruce Malone

Larry Trucano

Robert Pollard

s/ Robert Pollard
Robert Pollard

s/ Tom McRae
Tom McRae

s/ Tom McRae
Tom McRae

s/ Dalton Gray
Dalton Gray

Gussie Glasper

Facilities Management Committee

Finance & Government Operations

SUMMARY REPORT OF CLAIMS AND TRANSFERS
August

Mr. Chairman and Members of the County Board:

Submitted herewith is the Claims and Transfers Report for the month of August 2018 requesting approval.

	Payroll <u>08/10/2018 & 08/24/2018</u>	Claims <u>9/19/2018</u>
GENERAL FUND	\$ 2,488,540.95	\$ 762,567.14
SPECIAL REVENUE FUND	1,295,591.97	3,009,807.76
DEBT SERVICE FUND	0.00	0.00
CAPITAL PROJECT FUND	0.00	231,807.61
ENTERPRISE FUND	56,030.04	56,779.74
INTERNAL SERVICE FUND	30,650.27	1,370,486.28
COMPONENT UNIT	0.00	0.00
GRAND TOTAL	\$ 3,870,813.23	\$ 5,431,448.53

s/ Rick Faccin
Madison County Auditor
September 19, 2018

s/ Lisa Ciampoli	-	-
s/ Larry Trucano		
s/ Don Moore	-	-
s/ Robert Pollard		
s/ Philip W. Chapman	-	-
s/ Tom McRae		
s/ David Michael	-	-
Finance & Gov't Operations Committee		

IMMEDIATE EMERGENCY APPROPRIATION

WHEREAS, the Fiscal Year 2018 Budget for the County of Madison has been duly adopted by the County Board; and,

WHEREAS, the Illinois Criminal Justice Information Authority has authorized an award of federal funds from the Office of Justice Programs, Office for Victims of Crime, for the Madison County State's Attorney to provide victim's advocacy services; and

WHEREAS, the Illinois Criminal Justice Information Authority has authorized federal funds of \$47,003 with the County providing matching funds in the amount of \$11,751; and

WHEREAS, the agreement provides a grant period of March 30, 2018, through December 31, 2018; any amount not expended in fiscal year 2018 will be re-appropriated for the remaining grant period in fiscal year 2019;

NOW, THEREFORE, BE IT RESOLVED by the County Board of the County of Madison that pursuant to Chapter 55, Section 5/6 - 1003, Illinois Compiled Statutes that this immediate emergency appropriation be hereby adopted whereby the Fiscal Year 2018 Budget for the County of Madison be increased by \$58,754 in the fund established as the 2016 State's Attorney VOCA Crime Victim's Assistance Grant.

Respectfully submitted,

s/ Lisa Ciampoli

s/ Larry Trucano

s/ Thomas McRae

s/ David Michaels

s/ Philip Chapman

s/ D. A. Moore

s/ Robert Pollard

Finance & Gov't Operations Committee

September 12, 2018

RESOLUTION AUTHORIZING A UDAG LOW INTEREST LOAN TO THE VLLAGE OF EAST ALTON

WHEREAS, the Grants Committee has received an Infrastructure Loan application from the Village of East Alton for tenant finishes and build out of spaces at the Eastgate Plaza shopping center located on Lewis and Clark Blvd. in East Alton.;

WHEREAS, the Village of East Alton has requested a low-interest loan of \$750,000 at 4% for a ten year term to assist with tenant finishes and build out of spaces.;

WHEREAS, the Village of East Alton has entered into a public private partnership with Eastgate Plaza LLC to redevelop the Eastgate Plaza shopping center located on Lewis and Clark Blvd. in East Alton; and

WHEREAS, Madison County has set aside UDAG loan repayments to finance public improvement activities that impact the economic development for Madison County residents;

NOW, THEREFORE, BE IT RESOLVED that the County Board of Madison County, Illinois, authorizes a maximum public infrastructure loan of \$750,000 at 4% interest over 10 years to the Village of East Alton contingent upon: (1) the Village complying with all applicable federal, state and local regulations; (2) the Village demonstrating that it has adequate funds to complete its infrastructure project; (3) Madison County, the Village, and any other funding sources negotiating mutually satisfactory security agreements for the infrastructure loan; and (4) the Village agreeing not to initiate its proposed infrastructure project until it has received a "Notice to Proceed" from Madison County;

BE IT FURTHER RESOLVED that this loan be made for a ten year term at four percent interest to assist in funding the Village's tenant finishes and build out of spaces at the Eastgate Plaza shopping center located on Lewis and Clark Blvd. in East Alton.

Respectfully submitted,

s/ Clint Jones

s/ Judy Kuhn

s/ Gussie Glasper

s/ Chrissy Dutton

s/ Ann Gorman

s/ Bruce Malone

s/ Liz Dalton

s/ Erica Harriss

GRANTS COMMITTEE

September 10, 2018

**A RESOLUTION AUTHORIZING THE SUBMISSION OF THE 2019 LOW-INCOME HOME
ENERGY ASSISTANCE PROGRAM GRANT APPLICATION FOR THE COUNTY OF
MADISON, ILLINOIS**

WHEREAS, the Madison County Community Development Department is the local administering agency for the Madison County Low-Income Home Energy Assistance Program; and

WHEREAS, it is necessary to submit to the Illinois Department of Commerce and Economic Opportunity a grant application detailing the projected use of the 2019 Low-Income Home Energy Assistance Program Grant funds;

NOW, THEREFORE, BE IT RESOLVED by the County Board of Madison County, Illinois, That the County Board hereby authorizes the submission of the 2019 annual Low-Income Home Energy Assistance Program Federal and State grant applications; the Federal grant is in the amount of \$809,535.00 and the State grant is in the amount of \$1,654,271.00 for the County of Madison, Illinois, to the Illinois Department of Commerce and Economic Opportunity; and

BE IT FURTHER RESOLVED that the County Board hereby directs and designates the Community Development Department to act as the County's authorized representative in connection with the Low-Income Home Energy Assistance Program and to provide such additional information to the Illinois Department of Commerce and Economic Opportunity as may be required.

All of which is respectfully submitted,

s/ Clint Jones

s/ Judy Kuhn

s/ Gussie Glasper

s/ Chrissy Dutton

s/ Ann Gorman

s/ Bruce Malone

s/ Liz Dalton

s/ Erica Harriss

GRANTS COMMITTEE

September 10, 2018

A RESOLUTION AUTHORIZING COMMITMENT TO ST. LOUIS REGIONAL CHAMBER

WHEREAS, the economic future of Southwestern Illinois and the St. Louis Region is a priority for all citizens of the region and one which requires focus and leadership; and

WHEREAS, Madison County is a major force in Southwestern Illinois and the St. Louis region; and

WHEREAS, continuing to market the assets of Southwestern Illinois and the St. Louis Region through regional and targeted marketing approaches is a cost effective method for enhancing existing efforts to attract new investment and jobs to Madison County; and

WHEREAS, the St. Louis Regional Chamber will continue its efforts on behalf of the region and Madison County; and

WHEREAS, Madison County has funding available in its MCCD UDAG account for activities of this nature and wishes to continue to support the efforts being made by the St. Louis Regional Chamber;

NOW, THEREFORE, BE IT RESOLVED that the County of Madison, Illinois authorizes the commitment of \$30,000 for membership dues and the Chamber's marketing efforts for the year of 8/1/2018-7/31/2019;

BE IT FURTHER RESOLVED that the Chairman of the County Board be authorized to sign any documents related to this program and to direct the appropriate staff to participate in the ongoing activities as required.

Respectfully submitted,

[illegible]

Finance Committee
September 12, 2018

Grants Committee

September 10, 2018

**RESOLUTION TO PURCHASE VARIOUS VACCINES FROM GLAXO SMITH KLINE FOR
THE MADISON COUNTY HEALTH DEPARTMENT**

Mr. Chairman and Members of the County Board:

WHEREAS, the Madison County Health Department wishes to purchase the vaccines Bexsero, Boostrix, Engerix-B, Havrix, Infanrix, Kinrix, Pediarix, Rotarix, Twinrix from Glaxo Smith Kline for a one year period beginning October 2018; and,

WHEREAS, these vaccines are manufactured by and are available from Glaxo Smith Kline; and,

Glaxo Smith Kline
5 Crescent Drive
Philadelphia, PA 19112Not to exceed
\$60,000.00

WHEREAS, it is the recommendation of the Madison County Health Department to the vaccines Bexsero, Boostrix, Engerix-B, Havrix, Infanrix, Kinrix, Pediarix, Rotarix, Twinrix from Glaxo Smith Kline of Philadelphia, PA; and,

WHEREAS, the total cost for this expenditure will be paid from the Health Department Funds.

NOW, THEREFORE BE IT RESOLVED by the County Board of Madison County Illinois, that the County Board Chairman be hereby directed and designated to execute said contract with Glaxo Smith Kline of Philadelphia, PA for the aforementioned vaccine purchases.

Respectfully submitted by,

Michael Holliday, Sr.

s/ Lisa Ciampoli

Lisa Ciampoli

Robert Pollard

s/ D.A. Moore

Don Moore

Jack Minner

s/ Philip Chapman

Philip Chapman

s/ Chrissy Dutton

Chrissy Dutton

s/ David Michael

David Michael

Lisa Ciampoli

s/ Robert Pollard

Robert Pollard

Helen Hawkins

s/ Tom McRae

Tom McRae

Larry Trucano

Gussie Glasper

Health Department Committee

Finance & Government Operations Committee

**RESOLUTION TO PURCHASE VARIOUS VACCINES FROM MERCK SHARP & DOHME
CORP. FOR THE MADISON COUNTY HEALTH DEPARTMENT**

Mr. Chairman and Members of the County Board:

WHEREAS, the Madison County Health Department wishes to purchase the vaccines Gardasil, MMR, PedVax, Pneumovax, Proquad, Rotateq, Vaqta, Varivax, Zostovax from Merck Sharp & Dohme Corp. for a one year period beginning October 2018; and,

WHEREAS, these vaccines are manufactured by and are available from Merck Sharp & Dohme Corp.; and,

Merck Sharp & Dohme Corp.

One Merck Dr.

Whitehouse Station, NJNot to exceed \$80,000.00

WHEREAS, it is the recommendation of the Madison County Health Department to purchase the vaccines Gardasil, MMR, PedVax, Pneumovax, Proquad, Rotateq, Vaqta, Varivax, Zostovax from Merck Sharp & Dohme Corp. of Whitehouse Station, NJ; and,

WHEREAS, the total cost for this expenditure will be paid from the Health Department Funds.

NOW, THEREFORE BE IT RESOLVED by the County Board of Madison County Illinois, that the County Board Chairman be hereby directed and designated to execute said contract with Merck Sharp & Dohme Corp. of Whitehouse Station, NJ for the aforementioned vaccine purchases.

Respectfully submitted by,

Michael Holliday, Sr.

s/ Lisa Ciampoli

Lisa Ciampoli

Robert Pollard

s/ D.A. Moore

Don Moore

Jack Minner

s/ Philip Chapman

Philip Chapman

s/ Chrissy Dutton

Chrissy Dutton

s/ David Michael

David Michael

Lisa Ciampoli

s/ Robert Pollard

Robert Pollard

Helen Hawkins

s/ Tom McRae

Tom McRae

Larry Trucano

Health Department Committee

Gussie Glasper

Finance & Government Operations Committee

**RESOLUTION TO PURCHASE VARIOUS VACCINES FROM SANOFI PASTEUR FOR THE
MADISON COUNTY HEALTH DEPARTMENT**

Mr. Chairman and Members of the County Board:

WHEREAS, the Madison County Health Department wishes to purchase the vaccines ActHib, Daptacel, Imovax, IPOL, Menactra, Pentacel, Prevnar13, Tenivac and Tubersol from Sanofi Pasteur for a one year period beginning October 2018; and,

WHEREAS, these vaccines are manufactured by and are available from Sanofi Pasteur; and,

Sanofi Pasteur
12458 collections Center Dr.
Chicago, IL 60693Not to exceed \$50,000.00

WHEREAS, it is the recommendation of the Madison County Health Department to purchase the ActHib, Daptacel, Imovax, IPOL, Menactra, Pentacel, Prevnar13, Tenivac and Tubersol from Sanofi Pasteur of Chicago, IL; and,

WHEREAS, the total cost for this expenditure will be paid from the Health Department Funds.

NOW, THEREFORE BE IT RESOLVED by the County Board of Madison County Illinois, that the County Board Chairman be hereby directed and designated to execute said contract with Sanofi Pasteur of Chicago, IL; for the aforementioned vaccine purchases.

Respectfully submitted by,

Michael Holliday, Sr.

s/ Lisa Ciampoli

Lisa Ciampoli

Robert Pollard

s/ D.A. Moore

Don Moore

Jack Minner

s/ Philip Chapman

Philip Chapman

s/ Chrissy Dutton

Chrissy Dutton

s/ David Michael

David Michael

Lisa Ciampoli

s/ Robert Pollard

Robert Pollard

Helen Hawkins

s/ Tom McRae

Tom McRae

Larry Trucano

Health Department Committee

Gussie Glasper

Finance & Government Operations Committee

**RESOLUTION AUTHORIZING CONTINUATION OF THE SELF-FUNDED HEALTH
BENEFITS PROGRAM AND THE HEALTH SAVINGS ACCOUNT PROGRAM**

WHEREAS, Madison County has been self-funded for its group health benefits and has reviewed and considered various options to the current program for quality of service and competitive pricing, and

WHEREAS, UnitedHealthcare has a large network of providers, a proactive disease management program, a pharmacy management program, NurseLine, wellness tools and resources, specialized resource services, and a discount network which have effectively reduced program costs, and

WHEREAS, UnitedHealthcare will continue to administer a Madison County three-option plan, which includes the Buy-Up PPO Plan, Base PPO Plan, and HSA Eligible/High Deductible Health Plan (HSA/HDHP) with the option to enroll in a Health Savings Account (HSA) through UnitedHealthcare's Optum Bank, and

WHEREAS, Madison County is contracted with CBIZ Benefits & Insurance Services for consulting services for its self-funded health benefits program for the current monthly fee of \$6.00 per subscriber to be included in UnitedHealthcare's administrative fee, and

WHEREAS, Symetra, an independent stop-loss carrier with an "A" A.M Best rating and 40 years of experience in the medical stop-loss insurance business, can provide specific stop loss coverage with a self-insured individual stop loss protection of \$300,000 for two covered members and an individual stop loss protection of \$200,000 for all other covered members;

NOW, THEREFORE, BE IT RESOLVED, that Madison County continue its contract with UnitedHealthcare for complete network access, discounts, a prescription program, claims administration, health savings account administration and other cost-containment services for the monthly fee not to exceed \$50.26 per employee, per month, and \$4.77 per subscriber, per month for administration of the Health Savings Accounts and enter into a new contract with Symetra to provide individual stop-loss protection for a monthly fee not to exceed \$68.63 per subscriber, per month for the plan year effective December 1, 2018 through November 30, 2019.

RESPECTFULLY SUBMITTED BY:

Personnel and Labor Relations Committee

09/19/18 Board date
18-008
afs

A RESOLUTION APPROVING A SECURITY AWARENESS TRAINING POLICY

WHEREAS, the Madison County Board recognizes the need for a technology security awareness and education program that helps Madison County Government document, communicate, and train users on security best practices and concepts; and

WHEREAS, Madison County Government will provide training to all authorized users to help them understand how to identify, report, and prevent potential cybersecurity incidents; and

WHEREAS, security training will be an ongoing activity for all authorized users; and

WHEREAS, a Security Awareness Training Policy is developed to address the scope of users, their responsibilities, oversight, training requirements, frequency of training, and compliance; and

NOW, THEREFORE, BE IT RESOLVED by the County Board of Madison County that the Security Awareness Training Policy, dated August 22, 2018 is hereby official approved and adopted.

Respectfully submitted,

Ray Wesley, Chairman

Mick Madison

Ann Gorman

James Futrell

Art Asadorian

Don Moore

Dalton Gray

Personnel and Labor Relations Committee

/afs

9/19/2018 Board

18-007

RESOLUTION – Z18-0048

WHEREAS, on the 28th day of August 2018, a public hearing was held to consider the petition of Beverly and Catherine Manning, owners of record, requesting a special use permit as per §93.025, Section G, Item 9 of the Madison County Zoning Ordinance to place a manufactured home on site for the occupancy of Beverly Manning and family for a period not to exceed five years. This is located in an "R-3" Single-Family Residential District in Chouteau Township, at 5020 Lakeview Drive, Granite City, Illinois PPN 18-2-14-34-19-402-010; and,

WHEREAS, the Madison County Zoning Board of Appeals submitted its Findings for the aforesaid petition; and,

WHEREAS, the recommendation in the aforesaid Report of Findings of the Madison County Zoning Board of Appeals is hereby amended by the Planning & Development Committee so that the petition of Beverly and Catherine Manning be as follows: **Denied**; and,

WHEREAS, it is the opinion of the County Board of Madison County that the Findings made by the Madison County Zoning Board of Appeals and further amended by the Planning & Development Committee should be approved and this Resolution adopted; and,

NOW, THEREFORE BE IT RESOLVED that this Resolution is approved and shall take effect immediately upon its adoption.

Mick Madison, Chairman

Philip Chapman

Ray Wesley

David Michael

Nick Petrillo

Robert Pollard

Larry Trucano

Dalton Gray

Planning & Development Committee
September 6, 2018

Madison County Zoning Board of Appeals
August 28, 2018 Findings of Fact and Recommendations

George Ellis, Chairman Pro Tem, called the meeting to order at 5:00 p.m. in the Madison County Board Room.

Members Present: George Ellis, Mary Goode, Tyrone Echols, Thomas Ambrose, and Nicholas Cohan

Members Absent: Don Metzler

The Board of Appeals, established by the Chairman and the Board of Supervisors and provided for under the terms of the Madison County Zoning Ordinance, 1963 and all subsequent amendments/revisions thereto does hereby submit the Reports and Recommendations on the following:

File Z18-0048 – Petition of Beverly & Catherine Manning (Chouteau Township)

File Z18-0049 – Petition of SolarStone Illinois, LLC and James Mannhard & Kathleen Ttees (St. Jacob Township)

File Z18-0050 – Petition of Teresa Hecker and June & Jimmy Hallowell (St. Jacob Township)

File Z18-0051 – Petition of Teresa Hecker and June & Jimmy Hallowell (St. Jacob Township)

File Z18-0056 – Petition of Mike Barton (Fort Russell Township)

File Z18-0057 – Petition of Larry L. Dunn (Chouteau Township)

Finding of Fact and Recommendations

Hearing File Z18-0048

Petition of Beverly & Catherine Manning, owners of record requesting a special use permit as per §93.025, Section (G), Item 9 of the Madison County Zoning Ordinance in order to place a manufactured home on site for the sole occupancy of Beverly Manning and family for a period not to exceed five years. This is located in an “R-3” Single-Family Residential District in Chouteau Township, at 5020 Lakeview Dr., Granite City, Illinois PPN# 18-2-14-34-19-402-010 (16)

A **motion** was made by Ms. Goode and **seconded** by Mr. Echols that the petition of Beverly & Catherine Manning be as follows:

- I. This special use permit is **granted** for the sole usage of Beverly Manning and family for a period not to exceed five (5) years but may be extended either through an amendment to this special use permit or through an administrative review process, if qualified, as long as Beverly Manning occupies the structure, notwithstanding any violations, nuisance, change in ownership, or change in occupancy. The owner shall remove the mobile home from the site or apply for a new special use permit when Beverly Manning vacates the structure.

The Finding of Fact of the Board of Appeals: I. The zoning file, Comprehensive Plan, and Madison County Code of Ordinances were submitted for the record; II. The notice of public hearing was posted on the property in accordance with the terms of the ordinance III. The legal notice appeared in the newspaper and meets the requirements of the ordinance for publication; IV. The adjoining property owners were notified by mail of the time, date, and location of the public hearing; V. Catherine Manning, applicant and property owner, stated that she and her mother had purchased the property at 5020 Lakeview Drive and that they planned to have a mobile home constructed, which would be 68’ long by 16’ wide, to be placed at the property to serve as a residence for her 75-year-old mother; VI. Nick Cohan, ZBA member, stated that he had some people call him regarding the property and asked Ms. Manning if she owned the trailer next door; VII. Catherine Manning stated that she did not own the adjoining property; VIII. Nick Cohan, ZBA member, stated that he was told that Ms. Manning owned the adjoining property; IX. Mary Goode, ZBA member, inquired where Beverly Manning currently resides; X. Catherine Manning indicated her mother is currently living with her in Pontoon Beach; XI. Nick Cohan, ZBA member, stated that he has talked to

several people regarding the request and that they told him the lot was awful small and that he went and looked at the site. Mr. Cohan asked what is going to happen with it five years from now, asking if it would be a rental property; XII. Catherine Manning stated that it would not be a rental property and that she was told she has to reapply for the permit every five years for a \$50 fee; XIII. Andi Yancey, Planning Coordinator, stated that, as per the conditions of approval, if the owner or occupant changes, a new special use permit is required; XIV. Mr. Cohan asked Ms. Manning if her mother would own the property; XV. Ms. Manning stated that she and her mother own the property; XVI. Mr. Cohan stated that his understanding is that there are a lot of rundown trailers in the area and there is a trailer court in the area. Mr. Cohan stated that the people in that area prefer no more trailers because when he went down there he saw some rundown trailers and they feel they don't need any more trailers in the area; XVII. Ms. Manning stated that it is a brand new trailer, which she thought could actually bring up the value in the surrounding area; XVIII. Mr. Cohan stated that he does not know what else to say about it, but he doesn't think it's a good idea to put a trailer in because the lot is awful small. XIX. Andi Yancey, Planning Coordinator, stated for the record that the proposal satisfies all minimum setback requirements for the zoning district; XX. Mr. Cohan told Ms. Manning that it was nothing personal, but they contacted him and he doesn't even know how they knew he was on the Board (of Appeals) since it's only his second meeting; XXI. Ms. Manning concluded by stating that their only intent is to live on the mobile home; XXII. Keri Archer, 5025 Lakeview Drive, indicated that she owns the four lots across the road from the property and her sister-in-law, Sue Archer, owns several pieces of property out there also. Ms. Archer stated that she has lived there since 1954 and that she takes offense to the request being approved because there are already trailers out there, stating that they protested those as well. Ms. Archer stated that they start out nice but they end up as rentals and Madison County does not do their job and come out every five years. Ms. Archer submitted a petition of opposition from nearby property owners containing 87 signatures. Ms. Archer stated they feel that a stick-built home came off the site and that it should be a stick-built home that goes back on the parcel. Ms. Archer stated a small site-built home would be better than a mobile home because once the Mannings go, the mobile home will remain. Ms. Archer said they all keep their properties nice, and there is a trailer park around the corner and they don't want their neighborhood to become a trailer park. Ms. Archer stated that is not ok that a trailer be put in each time a house is torn down; XXIII. Nick Cohan, ZBA member, indicated that he had some comments to add to Ms. Archer's about the people who come out and make you clean your property up. Mr. Cohan stated that he's siding with Ms. Archer that the County's code enforcement is inept. Mr. Brandmeyer, P&D Administrator, asked Mr. Cohan if he was saying the word "inept." Mr. Cohan indicated in the affirmative. Mr. Cohan said it might be fine now, but if the property deteriorates, they might fine them but they have no ability to collect the fines unless the guy just wants to pay it. Mr. Cohan stated that he is just adding to what Ms. Archer said, and it's another thing about not supporting a trailer. Mr. Cohan wished Beverly Manning the best.

Voice vote.

Mary Goode, Tyrone Echols, and George Ellis voted aye.
Thomas Ambrose and Nick Cohan voted nay.

Whereupon the Chairman Pro Tem declared the motion duly adopted.

RESOLUTION – Z18-0049

WHEREAS, on the 28th day of August 2018, a public hearing was held to consider the petition of SolarStone Illinois, LLC, applicant, and James Mannhard & Kathleen Ttees, owners of record, requesting a special use permit as per §93.060, Section B of the Madison County Zoning Ordinance to develop two (2) 2-megawatt solar farms. This is located in an Agriculture District in St. Jacob Township on Walnut Road, St. Jacob, Illinois PPN# 05-1-23-11-00-000-004; and,

WHEREAS, the Madison County Zoning Board of Appeals submitted its Findings for the aforesaid petition; and,

WHEREAS, the recommendation in the aforesaid Report of Findings of the Madison County Zoning Board of Appeals is hereby amended by the Planning & Development Committee so that the petition SolarStone Illinois, LLC and James Mannhard & Kathleen Ttees be as follows:

1. This special use permit is granted for SolarStone Illinois, LLC. If at any point in the future the current owner of the underlying property or SolarStone Illinois, LLC intend to transfer their/its interest in the property or facility, the Madison County Planning and Development Administrator shall be notified in writing and be provided all necessary information pertaining to the new entities or parties involved.
2. No overweight or oversized loads shall be delivered to the site.
3. All vegetation, shrubbery, or other planting shall be well-maintained and kept free of noxious weeds and invasive plants.
4. The owner shall keep the property in compliance with all Madison County Ordinances.
5. The owner's failure to adhere to the conditions of the special use permit will cause revocation of the same and require immediate removal of the solar project from the site.

WHEREAS, it is the opinion of the County Board of Madison County that the Recommendation made by the Madison County Zoning Board of Appeals and further amended by the Planning & Development Committee should be approved and this Resolution adopted.

NOW, THEREFORE BE IT RESOLVED that this Resolution is approved and shall take effect immediately upon its adoption.

Mick Madison, Chairman

Philip Chapman

Ray Wesley

David Michael

Nick Petrillo

Robert Pollard

Larry Trucano

Dalton Gray

Planning & Development Committee
September 6, 2018

Finding of Fact and Recommendations

Hearing File Z18-0049

Z18-0049 – Petition of SolarStone Illinois, LLC, applicant, and James Mannhard and Kathleen Ttees, owners of record, requesting a special use permit as per §93.060, Section B of the Madison County Zoning Ordinance to develop two (2) 2-megawatt solar farms. This is located in an Agriculture District in St. Jacob Township on Walnut Road, St. Jacob, Illinois PPN# 05-1-23-11-00-000-004 (4)

A **motion** was made by Mr. Echols and **seconded** by Ms. Goode that the petition of SolarStone Illinois, LLC be as follows:

1. This special use permit is **granted** for the sole usage SolarStone Illinois, LLC. If the current owner of the underlying property or SolarStone Illinois, LLC ever transfer their/its interest in the property or facility, the new owner or applicant must seek a new special use permit.
2. No overweight or oversized loads shall be delivered to the site.
3. All vegetation, shrubbery, or other planting shall be well-maintained and kept free of noxious weeds and invasive plants.
4. The owner shall keep the property in compliance with all Madison County Ordinances.
5. The owner's failure to adhere to the conditions of the special use permit will cause revocation of the same, and require immediate removal of the solar project from the site.

The Finding of Fact of the Board of Appeals: I. The zoning file, Comprehensive Plan, and Madison County Code of Ordinances were submitted for the record; II. The notice of public hearing was posted on the property in accordance with the terms of the ordinance; III. The legal notice appeared in the newspaper and meets the requirements of the ordinance for publication; IV. The adjoining property owners were notified by mail of the time, date, and location of the public hearing and none were in attendance; V. Gordon Simanton, speaking on behalf of the applicant, SolarStone, stated that he was a member of the development team for SolarStone. Mr. Simanton indicated that they are headquartered in Minneapolis and are a privately-held company. Mr. Simanton stated that they had just completed the community solar program in Minnesota, which is the largest and most successful community solar garden program in the country. Mr. Simanton stated that the Minnesota program involved about 450 megawatts of solar energy that the state mandated must be achieved by 2020. Mr. Simanton said they achieved that goal by the end of 2017 and that SolarStone represents 15-20% of the total market place there. Mr. Simanton indicated that Governor Rauner signed a bill in 2016 mandating that ComEd and Ameren achieve about 2800 megawatts, so Illinois program is about 7 times the size of Minnesota's. Mr. Simanton stated that it's a community solar program, so their goal would be that 75% of subscribers would be residents with some small businesses and public entities. Mr. Simanton explained the difference between solar farms, which are larger in size and capacity (200 megawatts +), typically developed by utility companies, and fed directly into the utility's grid without the opportunity for others to participate, and community solar projects, which are smaller in size and capacity and offer individuals within the community the opportunity to purchase the energy. Mr. Simanton stated that community solar gardens fall between roof-top panels and solar farms. Mr. Simanton stated only about 1 in 4 homes are candidates for roof-mounted solar and that those options are sometimes cost-prohibitive; VI. Tyrone Echols, ZBA member, asked Mr. Simanton who regulates the rates charged to consumers for the solar energy; VII. Gordon Simanton stated that they would enter into a power purchase agreement with Ameren through which they purchase energy from Ameren's grid at a wholesale rate, and there is a program being developed by the Illinois Power Agency and Illinois Commerce Commission for bill credits for subscribers; VIII. Mary Goode, ZBA member, asked what the cost of development would be; IX. Mr. Simanton stated the cost to develop the site would be in the \$9-\$10 million range; X. Ms. Goode asked what would happen after the projected 35-year lifespan of the solar project; XI. Mr. Simanton stated that in order for this program to work they have to have willing landowners, which is the Mannhards in this circumstance. Mr. Simanton stated that landowners are typically offered \$800-\$1,200 per acre, per year. Mr. Simanton stated that the next requirement is that the site is located in an area with the necessary infrastructure to accommodate the solar garden. Mr. Simanton discussed the site limitations and state incentives to locate these projects on brown fields. Mr. Simanton stated that the state passed a bill (SB 2591

and SB 0486) mandating a decommissioning plan for the site. Mr. Simanton indicated that their decommissioning plan was included in their application and that they offer up to \$20k per megawatt as a letter of credit to be used for decommissioning the site. Mr. Simanton stated that the salvageable value of the facility after 30 years would probably be somewhere around \$5 million. Mr. Simanton stated that the solar panels degrade about .5% each year, so in 30 years they would still be operating at 85% efficiency. Mr. Simanton stated that the commercial tax assessment on the property would generate about \$28k per year for the County; XII. Thomas Ambrose, ZBA member, interjected to inquire whether Mr. Simanton's three minutes were up. Staff explained that the three-minute time limit does not apply when the speaker is answering board members' questions; XIII. Ms. Goode asked Mr. Simanton what the downsides are to community solar gardens; XIV. Mr. Simanton stated that solar energy is safe, reliable, and clean. Mr. Simanton stated that solar was the only renewable energy that does not have a turbine. Mr. Simanton stated that they plant pollinator-friendly ground coverings, which is not only for erosion control but to give something back to the environment. Mr. Simanton said that regarding downsides, he's heard complaints and concerns about the viewshed. Mr. Simanton stated that these panels will be about 10-12 feet off the ground, so it's a very low profile. Mr. Simanton stated that some folks are also concerned about glare, but that the panels are designed to absorb the light and not reflect it. Mr. Simanton stated that there are at least 75k international airports in the US that utilize solar energy in some capacity, stating that if glare were an issue, this would likely not be the case; XV. Ms. Goode inquired why we don't see more of these in hotter, sunnier climates such as Florida; XVI. Mr. Simanton explained that, due to the heat in the southern US, the panels are actually more efficient in the Midwest; XVII. Thomas Ambrose, ZBA member, stated that he has a Christian worldview and God's word says we're supposed to love our neighbors. Mr. Ambrose asked Mr. Simanton how he would like to wake up and look at 500 acres of solar panels. XVIII. Mr. Simanton stated that they were not proposing a 500-acre project; XIX. Mr. Ambrose stated that he looked on the internet and Mr. Simanton is not talking about a farm; a farm is hundreds to thousands of acres. Mr. Ambrose told Mr. Simanton that he is misrepresenting what he is doing. XX. Staff indicated to Mr. Ambrose that his staff report summarized the proposal, and the proposal is 22.4 acres of solar panels; XXI. Mr. Ambrose again accused Mr. Simanton of misrepresenting because a solar farm is hundreds and thousands of acres and it says 2 2-megawatt solar farms. Mr. Ambrose told Mr. Simanton to explain that; XXII. Mr. Simanton stated that the Illinois Power Agency had set up the community solar program to where you can only build a 2-megawatt facility, but they allow anyone to co-locate two of them together, so there are 2 2-megawatt facilities that will encompass roughly 25-30 acres total; XXIII. Mr. Ambrose again accused Mr. Simanton of misrepresenting his request, stating that he has more questions; XXIV. Mr. Simanton stated that he had not addressed Mr. Ambrose's other question regarding how he would like to wake up looking at solar panels. Mr. Simanton attempted to answer the question but was interrupted by Mr. Ambrose; XXV. George Ellis, Chairman Pro Tem, attempted to close the discussion; XXVI. Mr. Ambrose insisted he continue the line of questioning. Mr. Ambrose asked Mr. Simanton why he didn't look at the warehouses, stating he could put hundreds of acres up on top of the warehouses; XXVII. Mr. Simanton stated that they have to have a willing land owner and reiterated the infrastructure limitations addressed earlier in the hearing, indicating that they turn down more projects than they accept because of site limitations; XXVIII. Mr. Ambrose asked if the request was necessary for the public convenience at this location; XXIX. Mr. Simanton stated that he did not understand Mr. Ambrose's definition of public convenience, but that he had already mentioned that county residents would be able to subscribe to the service, which is a convenience; XXX. Mr. Ambrose asked in the case of an existing nonconforming use, will a special use permit make the use more compatible with its surroundings; XXXI. Staff informed Mr. Ambrose that the question was not applicable as there was not a non-conforming use existing on the property; XXXII. Mr. Ambrose asked what impact the development would have on adjacent properties; XXXIII. Mr. Simanton asked in what regard; XXXIV. Mr. Ambrose said for Mr. Simanton to tell him because Mr. Simanton was the one wanting the permit; XXXV. Mr. Simanton said that with regard to property value, in Chisago County Minnesota, which is considered the king of solar, the county assessor did an analysis of the 12 properties in close proximity to the solar facility[...]; XXXVI. Mr. Ambrose interjected to ask how big the solar facility was; XXXVII; Mr. Simanton stated that it was 150 megawatts; XXXVIII. Mr. Ambrose asked how many panels

that is; XXXIX. Mr. Simanton stated that 1 megawatt is about 4,000 panels, so multiply 4,000 by 150. Mr. Simanton stated that the difference between the assessed value and the property values was less than 1%. Mr. Simanton said that this constituted empirical evidence that he'd be more than happy to share with staff if anyone wished to review; XL. Mr. Ambrose asked what kind of major effect it would have on the adjacent farms; XLI. Mr. Ambrose said it wouldn't have any effect on adjacent farms, and, in fact, after 30 years there is no requirement that the owners renew the lease. Mr. Simanton stated that from a conservation standpoint, the soil would likely be better off than if it had been farmed for 30 years; XLII. Mr. Echols asked if the fertility of the land would be just as good or greater following the lifespan of the project; XLIII. Mr. Simanton stated that he would say so; XLIV. Mr. Ambrose asked Mr. Simanton what his answer would be regarding the fauna and all the wildlife upheaval; XLV. Mr. Simanton stated that they will be putting an 8' cyclone fence around the project as per state statute, but that they leave a 6" gap at the bottom to allow animals to migrate through there if needed; XLVI. Mr. Ambrose stated that he was really opposed to the request and asked Mr. Simanton how many farms he was thinking about buying; XLVII. Mr. Simanton stated that they had lease agreement with about 30 property owners; XLVIII. Mr. Ambrose asked if it was out in that same area; XLIX. Mr. Simanton stated that they were all over the state and that this was their only lease in the County; L. Mr. Ambrose repeated his question about locating solar panels on warehouses; LI. Mr. Simanton indicated that it was not feasible for this type of project explaining that the panels had to be configured in blocks to avoid line loss; LII. George Ellis, ZBA Chairman Pro Tem, asked if Ameren is distributing the energy to customers. Mr. Simanton indicated that it's all going into Ameren's grid in a homogenized manner and that subscribers would receive bill credits; LIII. Thomas Ambrose, ZBA member, stated that he would pray everybody think about this request because he does not feel the applicants have been forthright with this operation. Mr. Ambrose stated that he's talking millions of dollars and there are industrial areas where solar panels could be located; LIV. Mary Goode, ZBA member, stated that she felt the applicant had addressed the limitations with site selection. Mr. Ambrose stated that he doesn't believe that. Ms. Goode stated that they had successful developments in other areas. Mr. Ambrose stated that they are looking to make money and that they aren't out to help us. Ms. Good stated that all businesses were looking to make money; LV. Tyrone Echols, ZBA member, reminded board members that everyone would have the opportunity to vote as they felt appropriate; LVI. George Ellis, Chairman Pro Tem, stated that Mr. Echols was correct and that they Zoning Board was not the final word on the request, indicating that it will still go to Planning and Development Committee then to the full board for a vote.

Voice vote.

Mary Goode, Tyrone Echols, and George Ellis voted aye.

Thomas Ambrose and Nick Cohan voted nay.

Whereupon the Chairman Pro Tem declared the motion duly adopted.

RESOLUTION – Z18-0050

WHEREAS, on the 28th day of August 2018, a public hearing was held to consider the petition of Teresa Hecker, owner of record, and June and Jimmy Hallowell, applicants and potential buyers, requesting a special use permit as per §93.083, Section (C), Item 1 of the Madison County Zoning Ordinance in order to operate a home photography studio in the existing dwelling. This is located in an Agriculture District in St. Jacob Township, at 2213 Steinkoenig School Road, Highland, Illinois PPN: 05-2-23-02-00-000-036; and,

WHEREAS, the Madison County Zoning Board of Appeals has submitted its Findings for the aforesaid petition; and,

WHEREAS, it was the recommendation in the aforesaid Report of Findings of the Madison County Zoning Board of Appeals that the petition of Teresa Hecker and June & Jimmy Hallowell be as follows: **Denied**; and,

WHEREAS, it is the opinion of the County Board of Madison County that the Findings made by the Madison County Zoning Board of Appeals should be approved and Resolution adopted.

NOW, THEREFORE BE IT RESOLVED that this Resolution is approved and shall take effect immediately upon its adoption.

Mick Madison, Chairman

Philip Chapman

Ray Wesley

David Michael

Nick Petrillo

Robert Pollard

Larry Trucano

Dalton Gray

Planning & Development Committee
September 6, 2018

Finding of Fact and Recommendations

Hearing File Z18-0050

Petition of Teresa Hecker, owner of record, and June and Jimmy Hallowell, applicants and potential buyers, requesting a special use permit as per §93.083, Section (C), Item 1 of the Madison County Zoning Ordinance in order to operate a home photography studio in the existing dwelling. This is located in an Agriculture District in St. Jacob Township, at 2213 Steinkoenig School Road, Highland, Illinois PPN: 05-2-23-02-00-000-036 (4)

A **motion** was made by Ms. Goode and **seconded** by Mr. Echols that the petition of Teresa Hecker, owner of record, and June and Jimmy Hallowell, applicants be as follows:

1. This Special Use Permit is granted for the sole usage of June and Jimmy Hallowell (or their registered business) at 2213 Steinkoenig School Road and is not transferable to others or future property owners.
2. The applicant/owner shall adhere to the Madison County Code of Ordinances and particularly the Type B Home Occupation Requirements in the Zoning Ordinance.
3. The hours of operation are limited to 9 am to dusk.
4. The applicant/owner shall not post a sign on the property advertising the business.
5. The business shall not be open to the public or walk-in customers and shall operate by appointment only.
6. Customers shall park on the driveway. Parking on Steinkoenig School Road is prohibited.

The Finding of Fact of the Board of Appeals: I. The zoning file, Comprehensive Plan, and Madison County Code of Ordinances were submitted for the record; II. The notice of public hearing was posted on the property in accordance with the terms of the ordinance; III. The legal notice appeared in the newspaper and meets the requirements of the ordinance for publication; IV. The adjoining property owners were notified by mail of the time, date, and location of the public hearing and several were in attendance; V. June Hallowell, applicant, stated that she resides at 61 Stagecoach Lane in Troy. Mrs. Hallowell stated that she and her husband have an offer on the subject property pending zoning approval. Mrs. Hallowell commended the department's staff members stating that she wanted Board members to know that they are very good at their jobs and on the ball. Mrs. Hallowell stated that she had been a photographer for twenty-something years and that she shoots a lot of weddings, newborns, and family photo sessions. Mrs. Hallowell stated that she currently works from home at their property in Troy and that they are interested in purchasing the subject property and she'd like to be able to use it how they want; VI. Andi Yancey, Planning Coordinator, inquired about the scale of Mrs. Hallowell's photography business and whether she typically shot on or off site; VII. June Hallowell, applicant, indicated that the volume of business varies by season and indicated that staff's recommended conditions of approval from 9am-3pm with one (1) evening per week would not work for her business model, as she needs the flexibility to be able to shoot several evening per week as demanded. Mrs. Hallowell listed her appointments for the current week to illustrate the nature of the proposal; VIII. Andi Yancey, Planning Coordinator, asked Mrs. Hallowell what her proposed hours of operation would be; IX. Mrs. Hallowell indicated that daylight hours are typically acceptable since she cannot shoot in the dark; X. Matt Brandmeyer, P&D Administrator, asked Mrs. Hallowell if 9am-dusk seven days a week would accommodate her schedule and Mrs. Hallowell indicated that it would; XI. Mary Goode, ZBA Member, asked Mrs. Hallowell if she was doing the same type of business from her current dwelling and whether she needed a special permit. Mrs. Hallowell indicated that she does conduct her photography business from her current dwelling and that she did need a special use permit in order to do so; XII. Mary Goode, ZBA member, asked Mrs. Hallowell if she had run her photography business from any other residences. Mrs. Hallowell stated that her current home is the fourth home she's operated her photography business from. XIII. Ms. Goode asked Mrs. Hallowell if she had been cited for any violations during that time period. Mrs. Hallowell indicated that she had not; XIV. George Ellis, ZBA Chairman Pro Tem, asked Mrs. Hallowell how she advertises her business. Mrs. Hallowell indicated that she advertises through Facebook; XV. Nick Cohan, ZBA Member, asked if the proposal was a home-based business. Mrs. Hallowell indicated that it was. Mrs. Hallowell stated that had she not made the request for the special use permit, she likely could have operated from the home without being noticed, but that she did not want to

make such a large investment without getting the necessary permits. Mr. Cohan stated that home-based businesses are great; XVI. Tonya Osborne, adjoining property owner at 2239 Steinkoenig School Road, spoke in opposition to the request. Ms. Osborne stated her concerns were not tied to the applicants or property owner. Ms. Osborne stated that she purchased her home 8 years ago and that it is a very high-priced home in a very beautiful, residential neighborhood. Ms. Osborne stated that people walk the neighborhood and that she has dogs and grandchildren, explaining that it's a very quiet family area. Ms. Osborne stated that she does not want any business nearby at all. Ms. Osborne stated that she does not want a photography business and that she does not want people driving onto her street and looking at her home to see what valuable things she has. Ms. Osborne stated that the photography business would bring more people into her yard and area. Ms. Osborne stated that she thinks the request would have a negative impact on her property value and that everything is currently speculative since she cannot be guaranteed how their business will be run. Ms. Osborne stated that she has dogs and does not want brides, flower girls, and children running around provoking her dogs. Ms. Osborne stated that the Hallowell's currently have a home at which they are running their business and they should stay there or find a place that is already zoned for the proposed uses – she does not want it in her home or near her. Ms. Osborne stated that the lots in the surrounding area are 5-acre lots and that the houses are in close proximity to one another. Ms. Osborne raised concerns over the number of clients, noise, and property value/tax assessment. XVII. George Ellis, Chairman Pro Tem, asked Ms. Osborne what the average home value is in the subdivision. Ms. Osborne stated that it's probably over \$400K as it is a higher-end subdivision; XVIII. Nick Cohan, ZBA member, indicated that he understood Ms. Osborne's concerns, stating that he would be more concerned with a day care than a photography studio. Mr. Cohan stated that he had not been to the property and he understands home-based businesses. Ms. Osborne stated that she purchased her home in a residential area so that she would not be located near businesses; XIX. Mary Goode, ZBA Member, asked Ms. Osborne which home on the aerial photo was hers. Ms. Osborne indicated that she was just above the subject property in the photo. Ms. Osborne stated that the photography business would involve people going outside for photo shoots and she does not want people invading on her privacy. XX. Mary Goode, ZBA member, asked for clarification on whether Mrs. Hallowell's business involved on-site photo sessions. Mrs. Hallowell indicated that she would hold some newborn and family sessions at the property should the request be approved; XXI. Ms. Osborne raised additional concerns regarding the use of large props in the photo sessions and reiterated that she was opposed to the request and did not want the business located in the neighborhood; XXII. Nick Cohan, ZBA member, asked if the request could be limited; XXIII. Matt Brandmeyer, P&D Administrator, stated that the ZBA could add a condition limiting the business use of the property to indoors; XXIV. Ms. Osborne clarified that she is not in support of the proposal regardless of what conditions are tied to the request, stating there were too many areas of speculation to know whether all concerns would be addressed. Ms. Osborne stated that the request is not appropriate for the area; XXV. Nick Cohan, ZBA member, indicated that he was unaware that photoshoots would take place on site; XXVI. Ms. Osborne concluded by stating that Mrs. Hallowell does not yet own the property, that she currently operates the business out of her home, and there are several options for her moving forward that do not entail infringing on other families in the neighborhood; XXVII. Joe Smith, adjoining property owner at 11201 Shade Tree Lane, stated that he pretty much agrees with what Ms. Tonya Osborne said. Mr. Smith stated he has a number of concerns such as traffic congestion, people coming in and out, and if there are photo shoots taking place outside they'd likely go down toward the back, which is here his property adjoins the subject property. Mr. Smith stated that at the time the property was subdivided, the valley separating his property from the subject property was designated as green space and that he doesn't know what can be done with it or if props can be put in down there. Mr. Smith stated that the request is inappropriate for the character of the area. Mr. Smith stated that, when they built their home nine years ago, it was a quiet agricultural/residential neighborhood, stating that is what he bought into and he would like it to stay that way. Mr. Smith stated that the area should be kept residential agriculture with no businesses. Mr. Smith stated that many residents walk the roads out there and that the traffic is already quite bad, indicating that the volume has increased since they've lived there and to add more traffic would not be a good thing as there are walkers and a school bus stop in the immediate area. Mr. Smith indicated his property on the aerial

photo; XXVIII. Susan Smith, adjoining property owner at 11201 Shade Tree Lane, indicated that she was married to Joe Smith and that she concurred with his statements as well as those made by Ms. Tonya Osborne. Mrs. Smith stated that she had submitted a list of concerns to staff and that she is opposed to the request; XXIX. Teresa Hecker, owner of the subject property at 2213 Steinkoenig School Road, addressed the zoning board in support of the request. Mrs. Hecker made several comments regarding the neighborhood that were not relevant to the hearing request. Mrs. Hecker was asked to address the board and indicated that she was addressing existing issues in the area. Mrs. Hecker stated that traffic already files down Steinkoenig School Road at 40 MPH. Mrs. Hecker stated that it is a peaceful area, but that a photography studio would not affect that.

Voice vote.

Mary Goode and Tyrone Echols voted aye.

George Ellis, Thomas Ambrose, and Nick Cohan voted nay.

Whereupon the Chairman Pro Tem declared the petition **denied**.

RESOLUTION – Z18-0051

WHEREAS, on the 28th day of August 2018, a public hearing was held to consider the petition of Teresa Hecker, owner of record, and June and Jimmy Hallowell, applicants and potential buyers, requesting a special use permit as per §93.023, Section D, Item 3 of the Madison County Zoning Ordinance in order to have a welding shop on site. This is located in an Agricultural District in St. Jacob Township, at 2213 Steinkoenig School Road, Highland, Illinois PPN: 05-2-23-02-00-000-036; and,

WHEREAS, the Madison County Zoning Board of Appeals has submitted its Findings for the aforesaid petition; and,

WHEREAS, it was the recommendation in the aforesaid Report of Findings of the Madison County Zoning Board of Appeals that the petition of Teresa Hecker and June & Jimmy Hallowell be as follows: **Denied**; and,

WHEREAS, it is the opinion of the County Board of Madison County that the Findings made by the Madison County Zoning Board of Appeals should be approved and Resolution adopted.

NOW, THEREFORE BE IT RESOLVED that this Resolution is approved and shall take effect immediately upon its adoption.

Mick Madison, Chairman

Philip Chapman

Ray Wesley

David Michael

Nick Petrillo

Robert Pollard

Larry Trucano

Dalton Gray

Planning & Development Committee
September 6, 2018

Finding of Fact and Recommendations

Hearing File Z18-0051

Petition of Teresa Hecker, owner of record, and June and Jimmy Hollowell, applicants and potential buyers, requesting a special use permit as per §93.023, Section D, Item 3 of the Madison County Zoning Ordinance in order to have a welding shop on site. This is located in an Agricultural District in St. Jacob Township, at 2213 Steinkoenig School Road, Highland, Illinois PPN: 05-2-23-02-00-000-036 (4)

A **motion** was made by Ms. Goode and **seconded** by Mr. Cohan that the petition of Teresa Hecker, owner of record, and June and Jimmy Hollowell, applicants be as follows:

1. This Special Use Permit is granted for the sole usage of June and Jimmy Hollowell (or their registered business) on the property at 2213 Steinkoenig School Road and is not transferable to others or future property owners.
2. All welding or repair work and any storage of equipment, materials, and vehicles being repaired shall occur within an enclosed structure.
3. The hours of operation are limited to 8 am to 4 pm Monday through Friday.
4. The applicant/owner shall not post a sign on the property advertising the business.
5. The applicant/owner shall not place a dumpster on-site to serve the business.
6. The business shall not be open to the public or walk-in customers and should operate by appointment only.

The Finding of Fact of the Board of Appeals: I. The zoning file, Comprehensive Plan, and Madison County Code of Ordinances were submitted for the record; II. The notice of public hearing was posted on the property in accordance with the terms of the ordinance; III. The legal notice appeared in the newspaper and meets the requirements of the ordinance for publication; IV. The adjoining property owners were notified by mail of the time, date, and location of the public hearing and several were in attendance; V. June Hollowell, applicant, spoke to the petition. Mrs. Hollowell stated that given all the opposition the special use permits had generated, she no longer wished to purchase the home. Mrs. Hollowell stated that they did not want to live next to people that don't want them there, and that she has expressed that to the realtor and Mrs. Hecker. Mrs. Hollowell stated that the conversation surrounding the request could continue, but, considering the circumstances, she does not want to live there; VI. George Ellis, Chairman Pro Tem, asked Mrs. Hollowell if she was withdrawing the request. Mrs. Hollowell said it depends on whether the County would accept the withdrawal. Mrs. Hollowell was advised that, as the applicant, the decision was hers to make and issued a reminder to address the Zoning Board and not meeting attendees. Mrs. Hollowell stated the discussion could continue and that she just wanted to let everybody know where she was at on the matter; VII. Jim Hollowell, property owner at 61 Stagecoach Lane and applicant, stated he has a welding shop and is primarily engaged in working on higher-end cars and race cars, but that he can weld anything. Mr. Hollowell stated that he has farmers that bring him stuff all the time, stating that neighbors never want a welding shop until they need something welded. Mr. Hollowell stated that he currently resides in a home the dwarves the homes on Steinkoenig School Road and that he's been before the board twice before, and this would be his third time seeking a special use permit for the welding shop. Mr. Hollowell stated that he has previously operated his welding shop on a cul-de-sac surrounded by neighbors in Collinsville and never had any issues. Mr. Hollowell stated that his shop is heated and air conditioned and that cars do not stay outside – they're in the shop being worked on. Mr. Hollowell said he does not leave his customers' cars outside. Mr. Hollowell stated that he has a personal car trailer that sits outside, but that it's no different from any one else storing utility and camping trailers on their property; VIII. Thomas Ambrose, ZBA member, stated that one of the neighbors told him that the welding shop was not on the posted hearing notice on the property; IX. Andi Yancey, Planning Coordinator, indicated that she had visited the site and the both signs were posted in accordance with the Ordinance requirements; X. Thomas Ambrose, ZBA member, inquired about Mrs. Hollowell's statement that she did not wish to pursue the request, stating that he would be in support of that; XI. The Hollowells indicated that they would like to proceed with the hearing. Mrs. Hollowell asked about the hearing process and what happened after the ZBA recommendation. Staff advised Mrs. Hollowell that the ZBA would make a recommendation before the

meeting concluded and that their recommendation would be routed to the Planning and Development Committee; XII. Nick Cohan, ZBA member, asked Mr. Hollowell if he wanted to have a welding shop on the site. Mr. Hollowell stated that he wished to run his welding shop out of the existing 40'x60' garage on the site. Mr. Cohan asked if the Hollowells were requesting a welding business and photography business at the same place. Mr. Hollowell confirmed that this was the case; XIII. Tonya Osborne, adjoining property owner at 2239 Steinkoenig School Road, spoke in opposition to the request. Ms. Osborne stated that her home is very important to her and that her comments were the same as she said before regarding the photography studio but double with the welding shop. Ms. Osborne stated that she doesn't know what the noise level would be with a welding shop. Ms. Osborne stated that she had inquired about Mr. Hollowell's business and someone had told her that he has a very well-established welding business that is very busy. Ms. Osborne stated that is speculation on her part and that she doesn't know what that would bring or what kind of cars would be coming in and out – she has no idea. Ms. Osborne stated that she does know that she values her privacy and she does not want businesses next door to her. Ms. Osborne stated that she has two dogs with an electric fence around them and they keep her protected. Ms. Osborne stated that she puts her dogs in around 9 p.m. every night so they don't bark for the neighbors. Ms. Osborne stated that the dogs are her protection and that she does not like the idea of people coming in and out at all hours citing safety concerns. Ms. Osborne addressed a statement Ms. Hecker had previously made regarding noise in the neighborhood. Ms. Osborne was reminded to address the Zoning Board. Ms. Osborne stated that the main thing is her privacy, her home, and the value of her home. Ms. Osborne stated that she was not sure what a welding company entails but she does know that it's cars, a lot of loud cars sometimes. Ms. Osborne stated that she does not know what the capacity of his welding shop is, but that he has a home right now where he does it and he should continue to do it there. Ms. Osborne asked staff about the hearing process, whether a decision would be made that night, and what the process was moving forward. Staff advised accordingly; XIV. Susan Smith, adjoining property owner at 11201 Shade Tree Lane, spoke in opposition to the request. Mrs. Smith said she was appalled by the entire situation. Mrs. Smith was asked to address the Zoning Board and not meeting attendees. Mrs. Smith stated that her opposition to the request was not personal and that she does not want all the traffic in addition to the other concerns she had provided staff. Mrs. Smith stated that she was opposed to the request and began making comments unrelated to the request. Mrs. Smith was asked to address the Board and the zoning matter at hand; XV. Joe Smith, adjoining property owner at 11201 Shade Tree Lane, spoke in opposition to the request. Mr. Smith stated that he has the same concerns for the welding shop as he had just stated about the photography business. Mr. Smith stated that he does not know what the business will entail so he isn't sure what the capacity will be for traffic and noise. Mr. Smith stated that the surrounding area is agricultural/residential, that he did not want one business, and that he surely does not want two. Mr. Smith stated that the area should remain like it is and that the requests for businesses should be denied; XVI. Mary Goode, ZBA member, stated that, although the area is residential, the Hollowells had operated these businesses from four homes in the past and never been issued a citation. Ms. Goode stated that welding is an inside job and as long as everything happens inside the building, the proposal should not have an effect on adjoining properties. Ms. Goode stated that she is pro-business and that people should be allowed to have their businesses; XVII. Thomas Ambrose, ZBA member, stated that he had talked to the neighbor on the left hand side that knew exactly what Mr. Hollowell would be doing, and that he works on race cars he believes. Mr. Ambrose said the neighbor told him there would be a lot of noise and cars parked outside. Mr. Ambrose stated that there were nice homes in the area; XVIII. Mary Goode, ZBA member, stated that the Hollowells' history of being good property owners means a lot for her as she does not think they will suddenly start having property maintenance issues; XIX. George Ellis, ZBA Chairman Pro Tem, stated that Mr. Hollowell said he would have a trailer parked outside the garage. Ms. Goode said that the trailer would be permitted for anyone and that it would not constitute a zoning violation; XX. Tyrone Echols, ZBA member, stated that surrounding property owners were clear in their opposition to this request. Mr. Echols stated that a photography studio is different than a welding shop and reiterated that everyone would have the opportunity to vote on the matter; XXI. George Ellis, Chairman Pro Tem, stated that there was quite a bit of property value at stake; XXII. Nick Cohan, ZBA member, stated that he felt that all parties involved conducted themselves in a respectful manner. Mr. Cohan stated that he doesn't

think the people are going to want it because it's going to cause a problem and that he understands the neighbors' concerns. Mr. Cohan stated that while everyone seems like nice people he thinks the welding shop could cause problems in the area; XXIII. George Ellis, ZBA Chairman Pro Tem, stated that the request was for two businesses on one property so there would certainly be a concern about generating traffic and having people visit the site for photos and welding; XXIV. Nick Cohan, ZBA member, stated that he was opposed to issuing the special use permit because the request was just not conducive to the area, XXV. Mary Goode, ZBA member, reiterated that the two businesses had been run together for years without issue; XXVI. Matt Brandmeyer, P&D Administrator, advised the Zoning Board that these types of request are some of the most difficult to review, stating that they really depend on context. Mr. Brandmeyer indicated that once the special use permit is approved, it can be difficult to enforce conditions should there be issues. While, on the other hand, there are several well-run businesses operating under special use permits throughout the county.

Voice vote.

Mary Goode voted aye.

Thomas Ambrose, Nick Cohan, Tyrone Echols, and George Ellis voted nay.

Whereupon the Chairman Pro Tem declared the petition **denied**.

RESOLUTION – Z18-0056

WHEREAS, on the 28th day of August 2018, a public hearing was held to consider the petition of Mike Barton, applicant and owner of record, requesting a special use permit as per §93.025, Section G, Item 20 and a variance as per §93.100, Section B, Item 2 of the Madison County Zoning Ordinance to keep 15 chickens (hens only) on site. This is located in an "R-2" Single-Family Residential District in Fort Russell Township, at 4836 Shady Lane, Roxana, Illinois PPNs: 15-2-09-31-03-301-006 & 007; and,

WHEREAS, the Madison County Zoning Board of Appeals has submitted its Findings for the aforesaid petition; and,

WHEREAS, it was the recommendation in the aforesaid Report of Findings of the Madison County Zoning Board of Appeals that the petition of Mike Barton be as follows:

1. That the **variance** is **denied**. However, Mr. Barton may keep the existing 14 chickens on site until the chickens die, after which he may maintain 5 chickens (hens only).
2. That the **special use permit** is **granted** for the sole usage of Mike Barton. Any Change of ownership will void the special use permit.
3. The owner shall keep the property in compliance with all Madison County Ordinances.
4. The owner shall apply for an amendment to this special use permit for any future alterations, modifications, or expansions of the use.
5. The owner's failure to adhere to the conditions of the special use permit will cause revocations of the same and require immediate removal of the chickens, chicken coop, and chicken run; and,

WHEREAS, it is the opinion of the County Board of Madison County that the Findings made by the Madison County Zoning Board of Appeals should be approved and this Resolution adopted.

NOW, THEREFORE BE IT RESOLVED that this Resolution is approved and shall take effect immediately upon its adoption.

Mick Madison, Chairman

Philip Chapman

Ray Wesley

David Michael

Nick Petrillo

Robert Pollard

Larry Trucano

Dalton Gray

Planning & Development Committee

September 6, 2018

Finding of Fact and Recommendations

Hearing File Z18-0056

Petition of Mike Barton, applicant and owner of record, requesting a special use permit as per §93.025, Section G, Item 20 and a variance as per §93.100, Section B, Item 2 of the Madison County Zoning Ordinance in order to keep 15 chickens (hens only) on site. This is located in an "R-2" Single-Family Residential District in Fort Russell Township, at 4836 Shady Lane, Roxana, Illinois PPN#s: 15-2-09-31-03-301-006 & 007 (05)

A **motion** was made by Ms. Goode and **seconded** by Mr. Echols that the petition of Mike Barton be as follows:

1. That the **variance** is **denied**. However, Mr. Barton may keep the existing 14 chickens on site until the chickens die, after which he may maintain 5 chickens (hens only).
2. That the **special use permit** is **granted** for the sole usage of Mike Barton. Any Change of ownership will void the special use permit.
3. The owner shall keep the property in compliance with all Madison County Ordinances.
4. The owner shall apply for an amendment to this special use permit for any future alterations, modifications, or expansions of the use.
5. The owner's failure to adhere to the conditions of the special use permit will cause revocations of the same and require immediate removal of the chickens, chicken coop, and chicken run.

The Finding of Fact of the Board of Appeals: I. The zoning file, Comprehensive Plan, and Madison County Code of Ordinances were submitted for the record; II. The notice of public hearing was posted on the property in accordance with the terms of the ordinance III. The legal notice appeared in the newspaper and meets the requirements of the ordinance for publication; IV. The adjoining property owners were notified by mail of the time, date, and location of the public hearing and none were in attendance; V. Mike Barton, applicant and owner of record, stated that he is requesting a special use permit and an allowance to have more than five chickens. Mr. Barton stated that he had purchased the chickens prior to knowing about the special use permit requirement and that he was also unaware that the limit was five chickens until Wayne Brendel, Code Enforcer, advised him otherwise. Mr. Barton asked if he could possibly have an exception given his circumstances; VI. Thomas Ambrose, ZBA member, stated that he had visited the property and it appeared as though Mr. Barton had a nice chicken run and asked how many chickens would be acceptable. Mr. Barton stated that he currently has 14 chickens; VII. Mary Goode, ZBA member, asked Mr. Barton if he was selling the eggs, stating that chickens each produce a lot of eggs. Ms. Goode asked what the purpose of the increased number of chickens was. Mr. Barton stated that he, his wife, and granddaughter eat the eggs and give them away to family. Mr. Barton stated that he does not sell the eggs; his wife is just the chicken lady; VIII. Matt Brandmeyer, P&D Administrator, stated that the board could consider allowing the fourteen chickens with the condition that they not be replaced as they expire. Mr. Brandmeyer stated that such a condition may be challenging to enforce; IX. Nick Cohan, ZBA member, asked Mr. Barton if he had been cited for any zoning violations in the past. Mr. Barton indicated that he has a neighbor that calls the County every time he goes outside and complains about everything and anything, so yes. Mr. Cohan asked if Mr. Barton had ever been fined for a violation. Mr. Barton stated that he has not; X. Andi Yancey, Planning Coordinator, stated that the property had been placed in compliance shortly after any zoning citations; XI. Nick Cohan, ZBA member, stated that he only asked about the violations because he thinks Mr. Barton may be pushing the limits with fourteen chickens. Mr. Barton said that he understood and quipped that Wayne Brendel, Code Enforcer, probably has him on speed dial. Mr. Cohan asked Mr. Barton if he owned a Denny's. Mr. Barton stated that he did not; XII. Thomas Ambrose, ZBA member, asked Mr. Barton which neighbor had made the complaints. Mr. Barton indicated which neighbor he believed it was. Mr. Ambrose commented on the state of that property. Mr. Barton stated that he is not the type to complain about others.

Voice vote.

All ayes.

Whereupon the Chairman Pro Tem declared the motion duly adopted.

RESOLUTION – Z18-0057

WHEREAS, on the 28th day of August 2018, a public hearing was held to consider the petition of Larry L. Dunn, applicant and owner of record, requesting a variance as per Article 93.034, Section B, Item 6 of the Madison County Zoning Ordinance in order to construct a pole barn that will be 4 feet from the West property line instead of the required 25 feet. This is located in an “M-1” Limited Manufacturing District in Chouteau Township, at 3126 W. Chain of Rocks Road, Granite City, Illinois PPN#: 18-1-14-28-03-301-016; and,

WHEREAS, the Madison County Zoning Board of Appeals has submitted its Findings for the aforesaid petition; and,

WHEREAS, it was the recommendation in the aforesaid Report of Findings of the Madison County Zoning Board of Appeals that the petition of Larry L. Dunn be as follows: **Approved** with the condition that the proposed structure not exceed 30 feet in height; and,

WHEREAS, it is the opinion of the County Board of Madison County that the Findings made by the Madison County Zoning Board of Appeals should be approved and this Resolution adopted.

NOW, THEREFORE BE IT RESOLVED that this Resolution is approved and shall take effect immediately upon its adoption.

Mick Madison, Chairman

Philip Chapman

Ray Wesley

David Michael

Nick Petrillo

Robert Pollard

Larry Trucano

Dalton Gray

Planning & Development Committee
September 6, 2018

Finding of Fact and Recommendations

Hearing File Z18-0057

Petition of Larry L. Dunn, applicant and owner of record, requesting a variance as per Article 93.034, Section B, Item 6 of the Madison County Zoning Ordinance in order to construct a pole barn that will be 4 feet from the West property line instead of the required 25 feet. This is located in an "M-1" Limited Manufacturing District in Chouteau Township, at 3126 W. Chain of Rocks Road, Granite City, Illinois PPN#: 18-1-14-28-03-301-016 (21)

A **motion** was made by Mr. Echols and **seconded** by Ms. Goode that the petition of Larry L. Dunn be approved with the condition that the building not exceed 25 ft. in height. Voice vote. Thomas Ambrose voted aye. Nick Cohan, Mary Goode, Tyrone Echols, and George Ellis voted nay. Motion failed.

A **motion** was made by Mr. Cohan and **seconded** by Ms. Goode to amend the condition of approval so that the building not exceed 30 ft. in height. Voice vote. Nick Cohan, Mary Goode, Tyrone Echols, and George Ellis voted aye. Thomas Ambrose voted nay. Motion adopted.

A **motion** was made by Ms. Goode and **seconded** by Mr. Echols that the petition of Larry L. Dunn be as follows: **Approved** with the condition that the proposed structure not exceed 30 feet in height.

The Finding of Fact of the Board of Appeals: I. The zoning file, Comprehensive Plan, and Madison County Code of Ordinances were submitted for the record; II. The notice of public hearing was posted on the property in accordance with the terms of the ordinance; III. The legal notice appeared in the newspaper and meets the requirements of the ordinance for publication; IV. The adjoining property owners were notified by mail of the time, date, and location of the public hearing and none were in attendance; V. Larry Dunn, applicant, stated that he was the property owner at 3126 W. Chain of Rocks Road; VI. Mary Goode, ZBA member, asked Mr. Dunn what the setback was from the gas line that runs through the property. Mr. Dunn indicated that he'd be about 100 feet from the gas lines, which are six feet deep. Mr. Dunn stated that he frequently drives heavy loads over the gas lines and has run his track hoes, which are about 120k lbs., over the lines. Mr. Dunn stated that he's spoke to the gas company and that they were at the site a while back when he ran electric through the easement; VII. Mary Goode, ZBA member, asked Mr. Dunn the purpose for the variance request. Mr. Dunn stated that he was required to install a buffer zone along the north property boundary and that he was requesting the variance to be four feet from the west property line and four feet from the buffer zone. Mr. Dunn stated that the last time he made the variance request, in 2008, the water company had expressed concerns over the water line breaking. Mr. Dunn stated that the water line was four feet west of his property line, so his building would be at least eight feet from the water line. Mr. Dunn stated that he assured the water company that he would pay for the damages if his activities ever caused the water line to break, which he doubts will ever happen. Mr. Dunn explained the manner in which he planned to locate the structure, which would facilitate the maneuvering of the large trailers and equipment he is in the business of hauling across the site and into the structure. Mr. Dunn provided a history of his property and the adjoining property, which he had previously owned. Mr. Dunn stated that his property used to be the old Sun and Fun; VIII. Nick Cohan, ZBA member, asked Mr. Dunn if he was a tractor trailer owner. Mr. Dunn indicated that he did own tractor trailers and stated that he owns a lot of equipment tied to his trucking company; IX. Thomas Ambrose, ZBA member, asked Mr. Dunn how big of a building he was building. Mr. Dunn stated that he was going to build a 40'X60' or 50'X60' building because he wanted to be able to get a heavy-haul trailer in there and a couple tractors. Mr. Dunn described a heavy-haul trailer to the Board and discussed the logistics of maneuvering his equipment into the proposed structure. Mr. Dunn stated that he is a one-man band and that he owns all of his own equipment. Mr. Dunn stated that he only works on his own equipment and that he is not open to the public. Mr. Dunn stated that he has a lot of equipment at the site that needs repaired, which is why he's requesting the variance for the proposed structure. Mr. Dunn briefly discussed a neighbor dispute he's been involved in for the past several years; X. Matt Brandmeyer, P&D Administrator, stated that Mr. Dunn was very close to being in full

compliance with the Zoning Ordinance and that the proposed structure would be a step toward achieving that. Mr. Brandmeyer indicated that Mr. Dunn had had issues with outdoor storage and screening provisions, and had made a lot of strides over the past several years in coming into compliance; XI. Mr. Dunn stated that he is also looking to get out of the elements, stating that he's been out working for 42 years and he needs to get inside. Mr. Dunn stated that if he couldn't get the variance this time, he would not build. Mr. Dunn stated that this was his second time requesting the variance and he would not make a third request; XII. The Zoning Board discussed the height of the structure. Mr. Dunn indicated that he planned to put a 21' ceiling in the building so that he can lift his vehicles. With the pitch of the roof along with the needed height, it was decided that Mr. Dunn would need at least 27 feet of building height.

Voice vote.

Nick Cohan, Mary Goode, Tyrone Echols, and George Ellis voted aye.

Thomas Ambrose voted present.

Whereupon the Chairman Pro Tem declared the motion duly adopted.

RESOLUTION AUTHORIZING THE DEMOLITION OF UNSAFE BUILDINGS AND STRUCTURES

WHEREAS, there exists dangerous and unsafe buildings and structures within the territory of Madison County;

WHEREAS, the Madison County Building Official has determined that the property (ies), as listed on the attached sheet, has made a determination that the building is open, vacant, and constitutes an immediate and continuing hazard to the community.

WHEREAS, owners of such buildings, and structures have failed to cause said property to conform to the Madison County ordinances; and,

WHEREAS, 55 ILCS 5/5-1121, subsection (d). States that; each county may use the provisions of this subsection to expedite the removal of certain buildings that are a continuing hazard to the community in which they are located.

WHEREAS, there now is funding and procedures through the Madison County Community Development Department to secure the workers and pay the fees for this demolition; and,

WHEREAS, the cost of demolition, by law, can be made a lien upon the property superior to existing liens enforceable by foreclosure proceedings.

NOW, THEREFORE, BE IT RESOLVED that the Madison County Planning & Development, through the Community Development Department, as our contract agent, be authorized to take all steps necessary to cause demolition of properties described herein; and further be directed to take all steps necessary to perfect a lien upon the described subject property sufficient to cover the cost of the demolition and to pursue proceedings to foreclosure where directed to do so by the Madison County Board.

The properties included herein are generally composed of single-family residences, associated accessory structure (s) and/or the residual structural components of those residences. The following common addresses are pertinent to the aforementioned resolution:

- | | |
|--|----------------------------|
| 1. 151 Cottage, Cottage Hills, IL. 62018 | PPN: 19-2-08-11-01-102-008 |
| 2. 109 Edwards, Cottage Hills, IL. 62018 | PPN: 19-2-08-11-03-305-014 |

Mick Madison, Chairman

Philip Chapman

Ray Wesley

David Michael

Nick Petrillo

Robert Pollard

Larry Trucano

Dalton Gray

Planning & Development Committee
September 6, 2018

RESOLUTION IN SUPPORT OF THE DESIGNATION OF ROUTE 66 AS A NATIONAL HISTORIC TRAIL

WHEREAS, Route 66 was America's first all-paved U.S. Highway System connecting the Midwest to California, and remains an integral part of the history of Madison County; and,

WHEREAS, the following municipalities; Williamson, Livingston, Worden, Hamel, Edwardsville, Collinsville, Granite City, Madison, and Venice played host to Route 66 during its proud history; and,

WHEREAS, in the 1930s, Route 66 served as the "road to opportunity" for hundreds of thousands of Americans escaping the devastation of the Dust Bowl, and provided thousands of jobs for road crews and other workers unemployed during the Great Depression in Madison County and across the nation; and,

WHEREAS, Throughout World War II, critical troops, equipment and supplies were transported on Route 66 to military bases across the country; and,

WHEREAS, After Allied Victory thousands of troops traveled Route 66 returning to Madison County to their families and freedom; and,

WHEREAS, the Eisenhower Interstate System replaced Route 66, which led to its decommissioning in 1985, resulting in economic hardship for businesses that previously thrived, providing services to travelers; and,

WHEREAS, Route 66 has become an iconic symbol of American's search for freedom, adventure, and prosperity which annually brings travelers from around the world to discover America; and,

WHEREAS, The National Park Service's *Special Resources Study* has determined that Route 66 meets all the criteria for federal designation as a National Historic Trail; and,

WHEREAS, the designation of Route 66 as a permanent National Historic Trail will spur economic recovery in the eight states along the route and help promote preservation efforts; and,

WHEREAS, Route 66 would be the first National Historic Trail to celebrate motorized travel and America's love affair with the automobile; and,

WHEREAS, Congress recognized the importance of the road by establishing the National Park Service's Route 66 Corridor Preservation Program in the National Trails Office in 1999 to foster preservation, economic development and marketing through matching grants; and

WHEREAS, In addition to its historic significance, Route 66 proved itself a major economic force for the many Illinois communities, and remains Illinois; (1) Number one tourism destination for international travelers, and, (2) the second major destination domestic travelers; and,

WHEREAS; Designation as a National Historic Trail will help to increase the economic impact of Route 66 in Madison County.

NOW THEREFORE, BE IT RESOLVED by the Madison County Board that Madison County fully endorses and supports the designation of Route 66 as a National Historic Trail.

Mick Madison, Chairman

Tom McRae

Philip Chapman

Ray Wesley

David Michael

Nick Petrillo

Robert Pollard

Larry Trucano

Dalton Gray

Planning & Development Committee
September 6, 2018

Philip Chapman

Clint Jones

David Michael

Ann Gorman

Judy Kuhn

Larry Trucano

Mike Walters

Transportation Committee

RESOLUTION

WHEREAS, the County of Madison has undertaken a program to collect delinquent taxes and to perfect titles to real property in cases where the taxes on the same have not been paid pursuant to 35 ILCS 201/21d and 235A (formerly Ch. 120, Secs. 697(d) and 716(a), Ill. Rev. Stat. 1987, and

WHEREAS, Pursuant to this program, the County of Madison has acquired an interest in the real estate described on the attached list, and it appearing to the Property Trustee Committee that it would be in the best interest of the County to dispose of its interest in said property, and

WHEREAS, the parties on the attached list, have offered the amounts shown and the breakdown of these amounts have been determined as shown.

THEREFORE, Your Real Estate Tax Cycle Committee recommends the adoption of the following resolution.

BE IT RESOLVED BY THE COUNTY BOARD OF MADISON COUNTY, ILLINOIS, that the Chairman of the Board of Madison County, Illinois, be authorized to execute deed of conveyance of the County's interest or authorize the cancellation of the appropriate Certificate(s) of Purchase, as the case may be, on the attached described real estate, for the amounts shown on the attached, to be disbursed according to law.

ADOPTED by roll call vote 19th day of September, 2018.

ATTEST:

County Clerk

County Board Chairman

Submitted by:

Real Estate Tax Cycle Committee

MADISON COUNTY MONTHLY RESOLUTION LIST SEPTEMBER 2018

RES#	Account	Type	Acct Name	Total Collected	County Clerk	Auc	Recorder	Agent	Treasurer
09-18-001	1117901	SAL	City of Collinsville	634.00	0.00	0.00	34.00	350.00	250.00
09-18-002	1117451	SAL	Gretchin Elliott	650.00	0.00	6.00	44.00	350.00	250.00
09-18-003	1117175	SAL	Louis Dandridge III	650.00	0.00	6.00	44.00	350.00	250.00
09-18-004	1117105	SAL	City of Venice	650.00	0.00	6.00	34.00	350.00	250.00
09-18-005	1117124	SAL	City of Venice	650.00	0.00	6.00	34.00	350.00	250.00
09-18-006	1117125	SAL	City of Venice	650.00	0.00	6.00	34.00	350.00	250.00
09-18-007	1117129	SAL	City of Venice	650.00	0.00	6.00	34.00	350.00	250.00

[illegible]

**AGREEMENT/FUNDING RESOLUTION NORTH BUCHANAN STREET RESURFACING
SECTION 17-00110-00-RS CITY OF EDWARDSVILLE MADISON COUNTY, ILLINOIS**

Mr. Chairman and Members of the Madison County Board and Ladies and Gentlemen:

WHEREAS, the State of Illinois Department of Transportation, the County of Madison and the City of Edwardsville, in order to facilitate the free flow of traffic and insure safety to the motoring public, are desirous to resurface North Buchanan Street from Hillsboro Avenue to East Union Street, being approximately 0.3 miles in length, project consisting of pavement patching, HMA resurfacing, curb removal and replacement, and upgrades to sidewalk and curb ramp to comply with current ADA accessibility requirements along with other work necessary to complete the project in accordance with approved plans; and; and

WHEREAS, the County of Madison has sufficient funds to appropriate for the improvement; and

WHEREAS, Federal funds are available for participation in cost of the project.

NOW, THEREFORE BE IT RESOLVED by the County Board of Madison County that there is hereby appropriated the sum of One Hundred Thirty Six Thousand Seven Hundred Fifty (\$136,750.00) dollars from the County Matching Tax Fund to finance the County's share of this project.

BE IT FURTHER RESOLVED by the County Board of Madison County and its Chairman that the County of Madison hereby approves the plans and specifications for the above-mentioned project.

BE IT FURTHER RESOLVED that the County Clerk of Madison County be directed to transmit a certified copy of this Resolution to the City of Edwardsville, 118 Hillsboro Avenue, P.O. Box 407, Edwardsville, Illinois 62025-0407.

All of which is respectfully submitted.

s/ Tom McRae
Tom McRae

s/ Judy Kuhn
Judy Kuhn

s/ Philip Chapman
Philip Chapman

s/ David Michael
David Michael

s/ Clint Jones
Clint Jones

Mike Walters

Larry Trucano

Ann Gorman
Transportation Committee

**AGREEMENT/FUNDING RESOLUTION 6TH STREET RESURFACING CITY OF WOOD
RIVER, SECTION 14-00051-001-RS MADISON COUNTY, ILLINOIS**

Mr. Chairman and Members of the Madison County Board Ladies and Gentlemen:

WHEREAS, the State of Illinois Department of Transportation, the County of Madison and the City of Wood River, in order to facilitate the free flow of traffic and insure safety to the motoring public, are desirous to improve 6th Street from IL Route 143 to Edwardsville Road, being approximately 0.5 miles in length, project consisting of pavement patching, HMA resurfacing and upgrades to sidewalk and curb ramp to comply with current ADA accessibility requirements along with other work necessary to complete the project in accordance with approved plans; and

WHEREAS, the County of Madison has sufficient funds to appropriate for the improvement; and

WHEREAS, Federal funds are available for participation in cost of the projects.

NOW, THEREFORE BE IT RESOLVED by the County Board of Madison County that there is hereby appropriated the sum of One Hundred Twenty Five Thousand (\$125,000.00) dollars from the County Matching Tax Fund to finance the County's share of this project.

BE IT FURTHER RESOLVED by the County Board of Madison County and its' Chairman that the County of Madison hereby approves the plans and specifications for the above-mentioned project.

BE IT FURTHER RESOLVED that the County Clerk of Madison County be directed to transmit a certified copy of this Resolution to the City of Wood River, at 111 Wood River Avenue, Wood River, Illinois 62095-1938.

All of which is respectfully submitted.

s/ Tom McRae
Tom McRae

s/ Judy Kuhn
Judy Kuhn

s/ Philip Chapman
Philip Chapman

s/ David Michael
David Michael

s/ Clint Jones
Clint Jones

Mike Walters

Larry Trucano

Ann Gorman
Transportation Committee

**JURISDICTIONAL TRANSFER OF A PORTION OF ST. ROSE ROAD
MADISON COUNTY, ILLINOIS**

Mr. Chairman and Members of the Madison County Board and Ladies and Gentlemen:

WHEREAS, the County of Madison and the City of Highland entered into an Agreement for the Transfer of the Jurisdiction of a portion of the following named road with description from the County Highway System to the City of Highland Highway System:

1. 0.116 Miles (613 Feet) of St. Rose Road (CH 40) Termini being the west right of way line of Iberg Road (Sta 67+37) to approximately 523 feet east of the center of the Broadway/St. Rose Rd/Iberg Rd Round-a-Bout (Sta 73+50)

WHEREAS, the Illinois Compiled Statutes Chapter 605 article 5/5-105 grants to the County the authority to make changes to the County Highway System.

NOW, THEREFORE, BE IT RESOLVED, by the County Board of Madison County that the Chairman of the County Board be and is hereby authorized to sign a Local Agency Agreement for Jurisdictional Transfer in behalf of Madison County deleting a portion of St. Rose Road (613 Feet) from the County Highway System, subject to the approval of the Illinois Department of Transportation.

All of which is respectfully submitted.

s/ Tom McRae
Tom McRae

s/ Judy Kuhn
Judy Kuhn

s/ Philip Chapman
Philip Chapman

s/ David Michael
David Michael

s/ Clint Jones
Clint Jones

Mike Walters

Larry Trucano

Ann Gorman
Transportation Committee

**PETITION FOR COUNTY AID CHAMBERLAIN BRIDGE, SECTION 13-20110-00-BR,
PIN OAK TOWNSHIP**

Mr. Chairman and Members of the Madison County Board

The undersigned Highway Commissioner of Pin Oak Road District respectfully submitted that it is necessary to construct a Bridge located on Pin Oak Road located in the West Half of Section 14, Township 4 North, Range 7 West of the 3rd p.m. for which work Pin Oak Road District is wholly responsible.

The estimated cost of replacing an existing Single Span structure with a new Single Span Precast Concrete Beam Bridge along with other necessary work to complete the project in accordance with the approved plans (Known as Chamberlain Bridge) is Seven Hundred Fifty Thousand Dollars (\$ 750,000).

I hereby petition the Madison County Board for aid and request an appropriation from "County Bridge Fund" be made, of a sum sufficient to meet seventy-five (75%) percent of the expense of said work as per Resolution adopted by the Madison County Board on September 10, 1974.

Dated at Edwardsville, Illinois, this day of A.D., 20 .

Highway Commissioner

State of Illinois)
County of Madison)
Township of Pin Oak)

Robert Helms, Highway Commissioner of said Road District, being duly sworn on oath, says that the amount of Seven Hundred Fifty Thousand Dollars (\$ 750,000) mentioned in the estimate to which this affidavit is attached, is necessary, and that said Road District will be prepared to furnish twenty-five (25%) percent of the cost of said work upon completion.

Highway Commissioner

Subscribed and sworn to before me this day of A.D., 20 .

Notary Public



Resolution for Improvement Under the Illinois Highway Code



Resolution Number	Resolution Type	Section Number
	Original	90-00166-01-RP

BE IT RESOLVED, by the Board of the County
Governing Body Type Local Public Agency Type
of Illinois that the following described street(s)/road(s)/structure be improved under
Name of Local Public Agency
the Illinois Highway Code. Work shall be done by Contract
Contract or Day Labor

For Roadway/Street improvements:

	Name of Street(s)/Road(s)	Length (miles)	Route	From	To
+	Seiler Road	1	CH - 52	Wenzel Road	Humbert Road

For Structures:

	Name of Street(s)/Road(s)	Existing Structure No.	Route	Location	Feature Crossed
+					

BE IT FURTHER RESOLVED,

1. That the proposed improvement shall consist of

Reconstructing the existing oil & chip roadway and replacing it with a 24 foot wide HMA pavement with 8 foot HMA shoulders, concrete gutters, crossroad drainage structures and other work necessary to complete construction including right of way acquisition and utility relocations

2. That there is hereby appropriated the sum of Five million

Dollars (\$5,000,000.00) for the improvement of
said section from the Local Public Agency's allotment of Motor Fuel Tax funds.

BE IT FURTHER RESOLVED, that the Clerk is hereby directed to transmit four (4) certified originals of this resolution to the district office of the Department of Transportation.

I, Debra D. Ming-Mendoza County Clerk in and for said County
Name of Clerk Local Public Agency Type Local Public Agency Type
of Illinois in the State aforesaid, and keeper of the records and files thereof, as provided by
Name of Local Public Agency
statute, do hereby certify the foregoing to be a true, perfect and complete original of a resolution adopted by

Board of Madison County at a meeting held on September 19, 2016
Governing Body Type Name of Local Public Agency Date

IN TESTIMONY WHEREOF, I have hereunto set my hand and seal this Day day of Month, Year

(SEAL)

Clerk Signature

--

Approved

Regional Engineer
Department of Transportation

--

Date

--

**RESOLUTION TO PURCHASE ONE (1) NEW 115 HP TRACTOR FOR MADISON COUNTY
HIGHWAY DEPARTMENT**

Mr. Chairman and Members of the County Board:

WHEREAS, the Madison County Highway Department wishes to purchase one (1) new 115 HP Tractor; and

WHEREAS, the Transportation Committee and the County Engineer advertised for sealed bids for and received sealed bids on September 4, 2018 @ 10:30 a.m. at the Office of the County Engineer at which time following sealed bids were received:

Sievers Equipment Co., Hamel, IL.....	\$55,000.00
Sloan Implement, Hamel, IL	\$48,000.00
	Did not meet specs

WHEREAS, Sievers Equipment Co., met all specifications at a total contract price of Fifty Five Thousand Dollars (\$55,000.00); and,

WHEREAS, it is the recommendation of the Madison County Highway Department to purchase said Tractor from Sievers Equipment Co. of Hamel, IL; and,

WHEREAS, the total cost for this expenditure will be paid from the County Highway Fund.

NOW, THEREFORE, BE IT RESOLVED by the County Board of Madison County Illinois, that the County Board Chairman be hereby directed and designated to execute said contract with Sievers Equipment Co., of Hamel, IL for the above mentioned Tractor.

All of which is respectfully submitted.

s/ Tom McRae
Tom McRae

Mike Walters

Larry Trucano

s/ Judy Kuhn
Judy Kuhn

s/ Philip Chapman
Philip Chapman

s/ Clint Jones
Clint Jones

s/ David Michael
David Michael

s/ Lisa Ciampoli
Lisa Ciampoli

Larry Trucano

s/ D. A. Moore
Don Moore

s/ Robert Pollard
Robert Pollard

s/ Tom McRae
Tom McRae

s/ Philip Chapman
Phil Chapman

s/ David Michael
David Michael

Ann Gorman

Transportation Committee

Gussie Glasper

Finance & Government Operations Committee

MADISON COUNTY HEALTH DEPARTMENT
FY 2018 Summary thru 07/31/2018

Environmental Health	YTD
Food Inspections Conducted	2052
Food Facility Re Inspections	181
Water Well Permits Issued	10
New Water Wells Inspected	9
Sealed Water Wells Inspected	3
Closed Loop Well Permits Issued	10
Closed Loop Well Inspected	10
Tanning Facility Initial and Renewal Inspections	5
Mosquito Pools Tested for WNV	174
Dead Birds Tested for WNV	0
Body Art Facility Inspections	23
Liquor Commission Inspections	238
Volunteer Management	CURRENT
Medical Reserve Corps Members	362
Personal Health Services	YTD
Immunization Patients Seen	1289
Immunizations Administered	2995
Vision Screens Performed	1813
Hearing Screens Performed	2051
Tuberculin Skin Tests Administered	238
Tuberculin Skin Test Read	219
New Cases Mycobacterium Tuberculosis Disease	1
Acid Fast Bacillus (AFB) Not Identified	50
Acquired Immunodeficiency Syndrome (AIDS)	13
Campylobacter	12
Chickenpox/Varicella Cases Investigated	16
Chlamydia Cases Investigated	758
Cluster Illness Cases Investigated	26
Cryptosporidiosis Cases Investigated	0
Enteric Escherichia coli Cases Investigated	10
Food Complaints	19
Foodborne or Waterborne Illness	0
Gonorrhea Cases Investigated	221
Haemophilus Influenzae, Meningitis/Invasive Cases Investigated	7
Hepatitis A Cases Investigated	6
Hepatitis B Cases Investigated	57
Hepatitis B Case Management	2
Hepatitis C Cases Investigated	300
Human Immunodeficiency Virus (HIV) Infection	59
HIV Surveillance Services	11
Influenza-ICU, Death or Novel Reported	57
Legionellosis Cases Investigated	7
Lyme Disease Cases Investigated	1
Mumps	3
Neisseria Meningitidis, Meningitis/Invasive Cases Investigated	1
Pertussis Cases Investigated	5
Rabies, potential human exposure	24
Salmonellosis Cases Investigated	22
Shigellosis Cases Investigated	15

Streptococcal Infections, Group A, Invasive		9
Syphilis-Early		13
Syphilis Late		5
STD Exams		408
Prep Case Management		24

AN ORDINANCE AMENDING CHAPTER 55 MADISON COUNTY FOOD SANITATION ORDINANCE

WHEREAS, the Madison County Board of Health may enact ordinances, and such rules and regulations as may be deemed necessary or desirable for the protection of health and control of disease; and,

WHEREAS, The Madison County Board of Health adopted a Food Sanitation Program Ordinance on May 1, 1996 which is codified as Chapter 55 Code of Ordinances, Madison County, Illinois and subsequently amended; and,

WHEREAS, amending said ordinance is necessary to conform with rule changes to Illinois Food Service Sanitation Code, 77 Ill. Adm. Code 750, and to revise fees in accordance with Schedule "A" of same; and

NOW, THEREFORE BE IT ORDAINED by the Madison County Board of Health, effective December 1, 2018, as follows:

Section 55.01 Adoption by Reference.

- A. In addition to those provisions set forth herein, this Ordinance hereby adopts by reference the current edition and subsequent revisions of the following:
 - 1. Illinois Department of Public Health Food Service Sanitation Code, 77 Ill. Adm. Code 750
 - 2. Bed and Breakfast Act, 50 ILCS 820/1 et seq.
- B. The original shall be on file with the office of the Madison County Clerk.

Section 55.02 Definitions.

Words and phrases shall be taken in their plain, or ordinary and usual sense, except where used in a technical sense or where context or the intent of the County Board of Health indicates or requires a different meaning.

ADULTERATED shall mean the condition of any food if it (a) bears or contains any poisonous or deleterious substance in a quantity which may render it injurious to health; (b) bears or contains any added poisonous or deleterious substance for which no safe tolerance has been established by regulation or in excess of such tolerance if one has been established; (c) consists in whole or in part of any filthy, putrid or decomposed substance or it is otherwise unfit for human consumption; (d) has been processed, prepared, packed, or held under unsanitary conditions whereby it may have been contaminated with filth or whereby it may have been rendered injurious to health; (e) is in whole or in part the product of a diseased animal or animal which has died otherwise than by slaughter; (f) its containers are composed in whole or in part of any poisonous or deleterious substance which may render the contents injurious to health, (410 ILCS 620/10)

BED AND BREAKFAST ESTABLISHMENT shall mean an operator-occupied residence providing accommodations for a charge to the public with no more than five (5) guest rooms for rent, in operation for more than ten (10) nights in a twelve month period; breakfast may be provided to the guests only; this term shall not include motels, hotels, boarding houses or food service establishments (50 ILCS 820/2.a.)

COMMISSARY shall mean a local health department permitted food establishment that acts as a base of operations for a mobile food establishment. The commissary provides facilities for adequate storage of food, food containers, or food supplies; equipment for adequate washing and sanitizing of food equipment

and utensils; a servicing area for the sanitary disposal of liquid waste; for handling and disposal of garbage, grease and rubbish originating from the mobile food establishment; facilities for filling a potable water holding tank in a sanitary manner.

CONCESSION STAND shall mean a food establishment that is a permanent food service stand or building, operating in conjunction with an athletic or entertainment event operating no more than 100 days annually.

EXTENSIVE REMODEL shall mean any structural additions or alterations to existing establishments; changes, modifications, and extensions of plumbing, excluding routine maintenance. Extensive remodeling does not include redecorating, altering seating design, or reducing seating capacity.

FOOD shall mean any raw, cooked or processed edible substance, ice, beverage or ingredient used or intended for use or sale in whole or in part for human consumption, or chewing gum (77 Ill. Adm. Code 750)

FOOD ESTABLISHMENT Means an operation that: Stores, prepares, packages, serves, vends food directly to the consumer, or otherwise provides food for human consumption such as a restaurant; satellite or catered feeding location; catering operation if the operation provides food directly to a consumer or to a conveyance used to transport people; market; vending location; conveyance used to transport people; institution; or food pantry; and relinquishes possession of food to a consumer directly, or indirectly, through a delivery service such as home delivery of grocery orders or restaurant takeout orders, or delivery service that is provided by common carriers. Food establishments include an element of the operation such as a transportation vehicle or central preparation facility that supplies a vending location or satellite feeding location unless the vending or feeding location is permitted by the regulatory authority; and an operation that is conducted in a mobile, stationary, temporary, or permanent facility or location; where consumption is on or off the premises; and regardless of whether there is a charge for the food.

Food establishment does not include an establishment that offers only prepackaged foods that are not time/temperature control for safety foods; a produce stand that only offers whole, uncut fresh fruits and vegetables; a food processing plant including those that are located on the premises of a food establishment; a kitchen in a private home, such as a small family daycare provider or a bed and breakfast operation as defined in the Bed and Breakfast Act that prepares and offers food to guests; a private home that receives catered or home delivered food; a closed family function where food is prepared or served for individual family consumption; or a cottage food operation. (77 Ill. Adm. Code 750)

FOOD PANTRY shall mean a public or private nonprofit organization that distributes food to low-income and unemployed households, including food from sources other than the Department of Agriculture, to relieve situations of emergency and distress. (7 USCS § 7501 (Title 7, Agriculture; Chapter 102, Emergency Food Assistance))

HEALTH DEPARTMENT shall mean the Madison County Health Department.

HEALTH OFFICER shall mean the Administrator of the Madison County Health Department or their authorized representative.

IMMINENT HEALTH HAZARD means a significant threat or danger to health that is considered to exist when there is evidence sufficient to show that a product, practice, circumstance, or event creates a situation that requires immediate correction or cessation of operation to prevent injury based on: 1) The number of potential injuries, and 2) The nature, severity, and duration of the anticipated injury (77 Ill. Adm. Code 750)

MISBRANDED shall mean the presence of any written, printed, or graphic matter upon or accompanying food or containers of food which is false or misleading.

MOBILE FOOD ESTABLISHMENT is a vehicle-mounted food establishment designed and operated to be readily movable, e.g., mobile truck moving from location to location continuously. The unit shall not have permanent connections to water, wastewater, or electricity. This term includes trailer-mounted kitchens. The mobile food establishment shall not be used for any purpose other than a mobile food establishment. The mobile food establishment shall not be stored at a personal residence.

MOBILE FOOD ESTABLISHMENT ANNUAL FOOD SERVICE PERMIT is intended for those who operate at approved locations within Madison County and have obtained the proper authorization from the county, and cities or municipalities to operate in accordance to their codes and ordinances. Mobile food establishments who wish to obtain a temporary food establishment permit and have not obtained an annual permit may only operate under a temporary food service permit at temporary events.

POTENTIALLY HAZARDOUS FOOD shall mean any time/temperature control for food safety (77 Ill. Adm. Code 750)

PERMIT HOLDER shall mean any person or his agent who makes application for a permit to operate a food service establishment, retail food store, or temporary food establishment pursuant to this Ordinance.

PERSON shall mean an individual, firm, partnership, co-partnership, company, corporation, trustee, lessee, receiver, association, municipality, or any political subdivision or department thereof, or any other entity, or its agent.

SPECIAL EVENT shall mean a unique event at a particular location, such as a celebration, festival or fundraiser that occurs no more than twice a year.

TEMPORARY FOOD ESTABLISHMENT shall mean a food establishment that operates for a period of time of not more than 14 consecutive days in conjunction with a single event or celebration (77 Ill. Adm. Code 750).

TIME/TEMPERATURE CONTROL FOR SAFETY FOOD means a food that requires time/temperature control for safety (TCS) to limit pathogenic microorganism growth or toxin formation.

Section 55.15. Permit Required.

- A. It shall be unlawful for any person to operate a food establishment, mobile food establishment, commissary, or temporary food establishment, within the County of Madison, State of Illinois, who does not possess a valid permit issued by the Madison County Health Department. Only a person who complies with the requirements of this Ordinance shall be entitled to receive and retain such a permit. Permits shall not be transferable from one person to another person nor shall said permit be transferable to any location, building, or place other than that which it was originally issued. A valid permit shall be posted in every food establishment, temporary food establishment, or mobile food establishment so as to be clearly visible to all customers. A valid permit is one that is not suspended, revoked, or expired. Failure to possess a valid permit will result in immediate closure of a food establishment, mobile food establishment, commissary, or temporary food establishment within the County of Madison, State of Illinois.

- B. The following establishments shall be exempt from the provisions of this Ordinance:
 - 1. An establishment that offers only prepackaged foods that are not time/temperature control for safety foods (TCS).
 - 2. Facilities licensed and inspected by the Illinois Department of Corrections.

Section 55.16 Permit Issuance.

- A. Any person desiring to operate a food establishment, mobile food establishment, commissary, or temporary food establishment must comply with existing Madison County Zoning provisions, where applicable, and shall make written application for a permit on forms provided by the Health Department. Any applicant who is not a resident of Madison County must designate a managing agent or registered agent who is a resident, and upon whom service may be made.
- B. Mobile food establishments seeking a permit shall provide the following information to the Health Department, in addition to a written application for a permit, prior to receiving permit:
 - 1. Proof of access to a permitted commissary. Food may not be prepared in a residence nor in any facility that is not permitted or licensed.
 - 2. Hours of access to the commissary;
 - 3. A list of all items to be prepared and served during the course of operation;
 - 4. Mobile food establishment itinerary and operating schedule;
 - 5. Proof of access to restrooms;
 - 6. Proof of approval from the local governing body to operate in the location for which they have applied;
 - 7. A completed plan review provided by the Health Department.

Section 55.17 Permit Length.

The permit for food establishments, mobile food establishments, or commissaries, shall be for a period of 12 months from the date of issuance. Temporary establishment permits shall be for a period of no longer than fourteen (14) days in conjunction with a single event or celebration.

Section 55.18 Permit Renewal.

- A. Annual renewal of permits shall be required for continued operation of the establishment or commissary. Any person desiring to renew a permit shall make written application on forms provided by the Health Department.
- B. Mobile food establishments seeking a permit renewal shall provide the following information to the Health Department, in addition to a written application for a permit, prior to renewal of licensure:
 - 1. Proof of access to a permitted commissary. Food may not be prepared in a residence nor in any facility that is not permitted or licensed
 - 2. Hours of access to the commissary;
 - 3. A list of all items to be prepared and served during the course of licensure;
 - 4. Mobile food establishment itinerary and operating schedule;
 - 5. Proof of access to restrooms;
 - 6. Proof of approval from the local governing body to operate in the location for which they have applied.

- C. All permit fees for the annual renewal of permits are due fifteen (15) days prior to the permit expiration date. Persons failing to submit the appropriate fee and renewal application by the above stated renewal due date shall be assessed a late payment penalty fee in addition to the appropriate permit fee. Failure to submit the total fee and application by the above- described renewal date may result in a late fee assessment each month and a lapse in the permit.

Section 55.19 Permit Updates.

- A. The permit holder has an affirmative and continuing requirement to update the original and all renewal applications. As a result, the permit holder must inform the Health Officer of any changes in the information listed in these applications within thirty (30) days.
- B. Failure to comply with the requirements of this section, or knowingly furnishing false information on the original or renewal applications shall be grounds for immediate suspension or revocation of any permit issued pursuant to this Ordinance.

Section 55.20 Permit Suspension.

- A. Permits for food establishments, mobile food establishments, commissaries or may be suspended by the Health Officer upon notice to the permit holder of same. Reasons for suspending the permit include, but are not limited to, the following:
 - 1. Failure to comply with the provisions of this Ordinance;
 - 2. Failure to comply with the provisions of this Ordinance after notification by the Health Officer;
 - 3. Failure to comply with the provisions of this Ordinance within the time established by the Health Officer;
 - 4. Interference with the Health Officer in the performance of his duties, including, but not limited to, failure to allow the Health Officer access to the permit holder's building or records;
 - 5. Failure to update the original and renewal applications, as required by this Ordinance;
 - 6. Knowingly furnishing false information on the original or renewal applications.
- B. Upon making a determination that a suspension is appropriate, the Health Officer shall advise the permit holder, or their managing or registered agent, in writing of the intended suspension. The notice shall be delivered in person by the Health Officer or sent via certified mail. The permit holder may make a written request for a hearing with the Health Officer before imposition of the period of suspension according to the procedures set out in the Hearing Procedure section.
- D. Permits for food establishments, mobile food establishments, commissaries or temporary food establishments may be suspended by the Health Officer without notice to the permit holder when, in the judgment of the Health Officer, a condition exists that will result in an imminent health hazard to the public. Upon making a determination that a suspension without notice is appropriate, the Health Officer shall immediately, without warning or notice, advise the permit holder, or their managing or registered agent, of said condition and all food service operation shall be immediately discontinued.

Section 55.21 Permit Revocation.

- A. Permits for food establishments, mobile food establishments, or commissaries may be revoked by the Health Officer upon notice to the permit holder of same. Reasons for suspending the permit include, but are not limited to, the following:

1. Serious violations of the provisions of this Ordinance;
 2. Repeatedly failing to comply with the provisions of this ordinance;
 3. Interference with the Health Officer in the performance of his duties, including, but not limited to, failure to allow the Health Officer access to the permit holder's building or records;
 4. Failure to update the original and renewal applications, as required by this Ordinance;
 5. Knowingly furnishing false information on the original or renewal applications;
 6. Failure to apply for re-inspection within 30 days of the end of a suspension period imposed for violations of the provisions of this Ordinance; and,
 7. When the continuous operation of the business has lapsed for a period of more than 90 days.
- B. Upon making a determination that a revocation is appropriate, the Health Officer shall advise the permit holder, or their managing or registered agent, in writing of the intended revocation. The notice shall be delivered in person by the Health Officer or sent via certified mail. The permit holder may make a written request for a hearing with the Health Officer before imposition of the revocation according to the procedures set out in the Hearing Procedure section.

Section 55.22 Permit Classifications.

- A. The Health Department shall annually conduct a category assessment for every food establishment mobile food establishment, or commissary operating in Madison County, pursuant to the Local Health Protection Grant Rules established by the Illinois Department of Public Health (77 Ill. Adm. Code Ch. 1, Sec. 615). This assessment will result in the facility being placed into the appropriate category as it relates to food handling operations. A category shall be deemed an appropriate classification of an establishment when at least one criteria item describes that establishment's food handling operations, and in all cases, the highest appropriate category will apply.
- B. The following criteria will be utilized to classify establishments within Madison County,
1. **Category 1**
 - a. whenever cooling of potentially hazardous foods occurs as part of the food handling operations at the facility;
 - b. when potentially hazardous foods are prepared hot or cold and held hot or cold for more than 12 hours before serving;
 - c. if potentially hazardous foods which have been previously cooked and cooled must be reheated;
 - d. when preparing potentially hazardous food for off-premises service for which time-temperature requirements during transportation, holding and service are relevant;
 - e. whenever complex preparation of foods, or extensive handling of raw ingredients with hand contact for ready-to-eat foods, occurs as part of the food handling operations at the facility;
 - f. if vacuum packaging, or other forms of reduced oxygen packaging, or other special processes that require HACCP plan; or
 - g. whenever serving immunocompromised individuals, such as the elderly, young children under age four and pregnant women are served, where these individuals compose the majority of the consuming population.

2. **Category 2**

- a. if hot or cold foods are not maintained at that temperature for no more than 12 hours and are restricted to the same day service;
 - b. if preparing foods for service from raw ingredients uses only minimal assembly and;
 - c. foods served at an establishment that require complex preparation (whether canned, Frozen, or fresh prepared) are obtained from approved food processing plants, (high risk) food service establishments or retail food stores.
3. **Category 3**
- a. only pre-packaged foods are available or served in the facility, and any potentially hazardous food available are commercially pre-packaged in an approved processing plant;
 - b. only limited preparation of non-potentially hazardous foods and beverages, such as snack foods and carbonated beverages, occurs at the facility; or,
 - c. only beverages (alcoholic or non-alcoholic) are served at the facility.

Section 55.23 Permit Fees.

- A. Annual permit fees shall be assessed each permitted establishment and collected by the Health Department and deposited into the Health Department fund. Fees shall be based on the classification of the establishment. If the establishment falls under more than one fee category, then the higher fee category will apply. Fees will increase on odd numbered years at a rate of 5% rounded to the upper tenth dollar.
- B. See Schedule “A” for permit fees.
- C. Permit fees shall be non-refundable once a permit has been issued by the Health Department.

Section 55.35 Embargo and Condemnation.

- A. Food may be examined or sampled by the Health Officer to determine freedom from adulteration or misbranding. The Health Officer may condemn or embargo (detain) equipment or food when he has probable cause to believe that any food or piece of equipment may be unwholesome or unfit for use. Such conditions include but are not limited to:
 - 1. food that has been adulterated
 - 2. food that has been misbranded
 - 3. any time/temperature control for safety food found to be in the optimal temperature range of 42°F to 134°F without proper paperwork for the growth of pathogenic foodborne bacteria
 - 4. where equipment used in the preparation of food products is found to be in a state of disrepair, unsafe, unsanitary, or unsuitable for use in the preparation, display or service of food,
 - 5. in the event that food is contaminated as a result of fire, flood, sewage backup, power outage, or similar events.
- B. Condemned or embargoed food, food containers, or equipment may be suitably stored by the permit holder unless said storage would pose a risk to the public health. If a risk exists, immediate destruction shall be ordered by the Health Officer, or voluntarily destruction may be accomplished by the permit holder. If the permit holder refuses to voluntarily destroy the condemned food, food containers, or equipment, same shall be held under embargo until they have been proved satisfactory for human consumption by a certified laboratory at the expense of the permit holder.

- C. No person shall remove or alter a condemnation or embargo order, notice, or tag placed on food, food containers or equipment by the Health Officer. Said food, food containers or equipment shall not be relabeled, replaced, reprocessed, repackaged, altered, disposed of, destroyed, or placed back in service without the permission of the Health Officer, except on order by a Court of competent jurisdiction. The permit holder may make a written request for a hearing with the Health Officer before imposition of condemnation according to the procedures set out in the Hearing Procedure section.

Section 55.36 Employee Health.

When the Health Department has reasonable cause to suspect the possibility of disease transmission by an employee of any establishment regulated by this Ordinance, the Health Officer shall investigate the suspected employee and take appropriate action pursuant to this Ordinance and State Statutes.

Section 55.37 Construction and Remodeling.

- A. Whenever any establishment, mobile food establishment, or commissary regulated by the provisions of this Ordinance is constructed or extensively remodeled, or whenever an existing structure is converted to use as an establishment, mobile food establishment, or commissary to be regulated by this Ordinance, plans and specifications for such construction, remodeling, or conversion shall be submitted to the Health Officer for review and approval before construction, remodeling, or conversion may begin.
- B. The plans and specifications shall indicate the proposed layout, arrangement, mechanical plans and construction materials of work areas, and the type and model of proposed fixed equipment and facilities. The Health Officer shall inspect the proposed establishment, mobile food establishment, or commissary prior to the beginning or resumption of operations to determine compliance with the approved plans and specifications and the requirements of this Ordinance.
- C. Mobile food establishments must have a source of power to operate equipment such as cooking equipment, refrigerator units, and pumps. The mobile food establishment must also have the ability to power equipment while in motion to maintain minimum temperatures of Time/Temperature control for safety food.
- D. If the mobile food establishment uses propane, natural gas, or has a fire suppression hood, proof of approval from the local governing body in the location for which they have applied shall be provided during the plan review process to the Health Department.

Section. 55.50 Inspection Schedule.

The Health Department shall conduct unannounced, routine onsite inspections for each food establishment, mobile food establishment, commissary and temporary food establishment operating in Madison County in accordance with the guidelines established by Illinois Department of Public Health, 77 Ill. Adm. Code Ch. 1, Sec. 615 as follows:

- 1. **Category 1** shall receive three (3) inspections per year, or two (2) inspections per year if one of the following conditions is met:
 - a. a certified food service manager is present at all times the facility is in operation; or
 - b. employees involved in food operations receive HACCP training exercise, in-service training in another food service sanitation area, or attend an educational conference on food safety or sanitation.

2. **Category 2** shall receive one (1) inspection per year.
3. **Category 3** shall receive one (1) inspection every two years.
4. **Temporary Food Establishments** shall be provided consultation and/or an onsite inspection a minimum of one (1) time for each permit issued.

Section 55.51 Inspection Report.

Whenever an inspection of an establishment, mobile food establishment, or commissary is made, the findings shall be recorded on a standardized inspection report form pursuant to 77 Ill. Adm. Code 750. One copy of the completed inspection report form will be furnished to the permit holder or his agent at the time of inspection. If violations of this Ordinance exist, the inspection report shall serve as official notice to the permit holder that the establishment, mobile food establishment, or commissary is in violation of the provisions of this Ordinance. The completed inspection report form shall specify the violations found by the Health Officer, and shall establish a reasonable time period within which said violations must be corrected.

Section 55.52 Right of Entry.

The Health Officer, after proper identification, shall have access at any reasonable time to any establishment, mobile food establishment, commissary, or temporary event establishments regulated by this Ordinance. Reasonable time for the purposes of this section shall mean at all times the establishment is open to the public. The Health Officer shall be permitted to examine all areas and records of the establishment which are reasonably necessary to his inspection or investigation. Denial of access as herein provided shall be deemed as interference with the Health Officer in the performance of his duties, including but not limited to denial of access to the permit holder's building, mobile unit, temporary event stand or records.

Section 55.65 Hearings before the Health Officer.

- A. Any person affected by any order or notice issued by the Health Department in connection with the enforcement of any section of this Ordinance, may file in the office of the Health Department written request for a hearing before the Health Officer. Unless stated elsewhere in this Ordinance, the Health Officer shall designate a place and hold the hearing at a time within fourteen (14) days from the date on which the written request was filed.
- B. The petitioner for the hearing shall be notified of the time and place of hearing not less than five (5) days prior to the date on which the hearing is to be held.
- C. If, as a result of the hearing, the Health Officer finds that strict compliance with the order or notice would cause undue hardship on the petitioner, and that the public health would be adequately protected and substantial justice done by varying or withdrawing the order of notice, the Health Officer may modify or withdraw the order or notice as a condition for such action may, where deemed necessary, make requirements which are additional to those prescribed in this Ordinance for the purpose of properly protecting the public health.
- D. The Health Officer shall render a decision within ten (10) days after the date of the hearing which shall be reduced to writing. An appeal from a decision of the Health Officer may be made to the Circuit Court of Madison County, pursuant to the Illinois Administrative Review Act, 735 ILCS 5/3-101 et seq., as amended.

Section 55.99 Penalty.

Any permit holder who violates the provisions of this Ordinance or any of the regulations promulgated hereunder, shall be subject to prosecution for an offense for each and every day on which the violation continues and each day that the offense continues shall constitute a separate offense. The permit holder shall be subject to a fine of not more than \$1,000.00 for each offense. Further, the Health Officer, with the approval of the Board of Health, may seek injunctive relief and fines for non-compliance with the provisions of this Ordinance. The Madison County State's Attorney serves as legal counsel and prosecuting officer for the Board of Health and Health Department.

Section 55.23.B Schedule “A” Food Permit Fees.

Effective December 1, 2018 the fee schedule is as follows:

	Amount
Category 1 Annual Permit	\$675.00
Category 2 Annual Permit	\$425.00
Category 3 Annual Permit	\$300.00
Mobile Food Establishment Annual Service Permit	\$675.00
Temporary Permit	\$ 75.00
Temporary Permit Late Fee (48 hours before event)	\$ 75.00
Plan Review Fee	\$250.00
Call Out Fee	\$150.00
Concession Stand	\$ 75.00
Food Pantry	\$ 40.00
Cottage Food Vendor Registration	\$ 25.00
Annual Permit Late Payment Fee (accrues each month)	\$ 35.00

Enforcement Penalty Maximum Fine	\$1,000.00
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PASSED AND ADOPTED by the County Board of the County of Madison, Illinois on this 19th day of September, 2018.

Respectfully Submitted,

Michael Holliday, Sr.

Jack Minner

Lisa Ciampoli

Robert Pollard

Chrissy Dutton
Health Department Committee