

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

**\*AMENDED\***

**AGENDA  
MADISON COUNTY BOARD  
JULY 20, 2022  
5:00 P.M.**

To the members of the Madison County Board:

The following is the Agenda for the County Board Meeting on Wednesday, July 20, 2022, to be held at the Nelson “Nellie” Hagnauer County Board Room in the Administration Building in the City of Edwardsville, in the county and state aforesaid to be discussed and considered for approval.

1. Monthly reports of County Clerk, Circuit Clerk, Recorder, Regional Office of Education, Sheriff and Treasurer
2. Public Comment
3. Approval of Minutes
4. Awards/Recognitions/Proclamations
5. Final Consideration of Ordinance to Amend the “Personnel Policies for County Board Appointed Officials and Department Heads” and Certain Madison County Ordinances \*(If necessary per Madison County Ordinance Section 30.04)

**A. APPOINTMENTS:**

1. Director of the Emergency Management Agency:
  - a. Frederick Guy Patterson is recommended for appointment as the Director of the Madison County Emergency Management Agency Department replacing Christopher J. Johnson who stepped down from the position. Effective date: 7/20/2022.
2. St. Louis Regional Airport Authority:
  - a. David Fleetwood is recommended for appointment to a new 5 year term, replacing Wendall Ross (effective 5/2/2022). New term effective 5/2/2027.

**B. BUILDING AND ZONING COMMITTEE:**

1. Zoning Resolution Z22-0035
2. Zoning Resolution Z22-0036
3. Zoning Resolution Z22-0038
4. Zoning Resolution Z22-0039
5. Zoning Resolution Z22-0040
6. Zoning Resolution Z22-0042
7. Zoning Resolution Z22-0044
8. Zoning Resolution Z22-0046
9. Zoning Resolution Z22-0047
10. Ordinance Authorizing the Madison County Flood Damage Prevention Ordinance

**C. BUILDINGS AND FACILITIES MANAGEMENT COMMITTEE & FINANCE AND GOVERNMENT OPERATIONS COMMITTEE:**

1. Resolution to Award a Contract for the Parking Lot Improvements at the Madison County Wood River Facility for the Madison County Facilities Management Department

**D. EXECUTIVE COMMITTEE:**

1. Resolution to Submit a Binding Referendum to the Voters of Madison County for Consideration in the Matter of the Property Tax Extension Limitation Law
2. Resolution for the Collective Bargaining Agreement Between Madison County Weatherization and Mid-America Carpenters Regional Council

**E. FINANCE AND GOVERNMENT OPERATIONS COMMITTEE:**

1. Claims & Transfers Report
2. FY 2022 Immediate Emergency Appropriation – State’s Attorney Admin. – Legal (General Fund)
3. FY 2022 Immediate Emergency Appropriation – Sheriff IL DCFS (General Fund)
4. FY 2022 Immediate Emergency Appropriation – Child Ad. Center – 2020 CACI CESF COVID-19 Grant (Amendment & Extension)
5. FY 2022 Immediate Emergency Appropriation – Circuit Court – 2023 Family Violence Coordinating Council Grant
6. FY 2022 Immediate Emergency Appropriation – ARPA – Info. Tech. - Arctic Wolf
7. FY 2022 Immediate Emergency Appropriation – Capital Projects – Wood River Facility – Parking Lot
8. Resolution Authorizing the Purchase of Excess Liability, Property and Earthquake Insurance Coverages
9. Resolution Authorizing Settlement of a Workers’ Compensation Claim File #: 14-001
10. Property Trustee Report

**F. GRANTS COMMITTEE:**

1. Ordinance Amending Ordinance Number 97-06 to Add Territory in Edwardsville and Pontoon Beach to the Gateway Commerce Center Enterprise Zone
2. Resolution Authorizing the Submission of the 2023 Emergency Solutions Grant Application for the County of Madison, Illinois
3. Resolution Authorizing a Public Infrastructure Loan to Collinsville Township
4. Resolution Authorizing Home Program Funds to Flax Meadow Townhomes II
5. Resolution Authorizing Submission of the FY Community Action Plan

**G. HEALTH DEPARTMENT COMMITTEE & FINANCE AND GOVERNMENT OPERATIONS COMMITTEE:**

1. Ordinance Amending Chapter 55 Madison County Food Sanitation Ordinance (Postponed at the 6/15/2022 Board of Health meeting)
2. Amended Resolution to Purchase Various Vaccines From Sanofi Pasteur for the Madison County Health Department

**H. INFORMATION TECHNOLOGY COMMITTEE & FINANCE AND GOVERNMENT OPERATIONS COMMITTEE:**

1. Resolution to Purchase a Renewal of Arctic Wolf Products, Licensing and Maintenance for the Madison County Information Technology Department

**I. JUDICIARY COMMITTEE:**

1. Resolution to Present an Advisory Referendum Regarding the General Assembly’s Implementation and Design of Subcircuits in Madison County, Illinois

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**J. UNFINISHED BUSINESS:**

**K. NEW BUSINESS:**

**L. ADJOURN:**

**AN ORDINANCE TO AMEND  
THE "PERSONNEL POLICIES FOR COUNTY BOARD APPOINTED OFFICIALS AND  
DEPARTMENT HEADS" AND CERTAIN MADISON COUNTY ORDINANCES**

Mr. Chairman and Members of the County Board:

**WHEREAS**, the County Board has lost confidence in its Chairman to advance a fiscally responsible future for the County; and

**WHEREAS**, it is the opinion of the County Board that the Chairman has exhibited chronically inept management, lack of communication or research on important issues relating to lowering property taxes, lack of attention to his job which decreases the quality of services paid for by taxpayers, and multiple disastrous personnel decisions which have cost the County millions of dollars in legal costs and settlements; and

**WHEREAS**, the Chairman, even while delegated significant authority by the County Board, continues to have improper communications with multiple employees terminated by the County Board while these terminated employees are in continual active litigation against the County Board; and

**WHEREAS**, based on the foregoing the County Board believes now is an appropriate time to modify certain Madison County ordinances and policies to ensure County Government is best able to serve the people and taxpayers of Madison County in a fiscally responsible and professional manner; and

**WHEREAS**, a copy of the proposed revisions (in "redline" format) to various parts of the "PERSONNEL POLICIES FOR COUNTY BOARD APPOINTED OFFICIALS AND DEPARTMENT HEADS" and the Madison County Ordinances are provided with this Ordinance as Attachment A and are on file in the offices of the County Board and County Clerk; and

**NOW, THEREFORE, BE IT ORDAINED** by the County Board of Madison County Illinois that the attached amendments to various parts of the "PERSONNEL POLICIES FOR COUNTY BOARD APPOINTED OFFICIALS AND DEPARTMENT HEADS" and the Madison County Ordinances are hereby adopted. All previous handbooks, policies and procedures which address the matters herein are hereby replaced with these proposed revisions to the extent there is a conflict. But, all these changes will automatically "sunset" (revert back to the previous version of the ordinance or policy) on December 1, 2024, unless this "sunset" date is changed or eliminated by further proper action of the County Board.



**A RESOLUTION CONCERNING THE APPOINTMENT OF FREDERICK GUY PATTERSON  
AS DIRECTOR OF THE MADISON COUNTY EMERGENCY MANAGEMENT AGENCY**

**WHEREAS**, in accordance with the adopted Personnel Policies for County Board Appointed Officials and Department Heads, the following is recommended.

**NOW, THEREFORE, BE IT RESOLVED** by the County Board of Madison County, Illinois, that the Board appoint Frederick Guy Patterson as the Director of the Madison County Emergency Management Agency.

**BE IT FURTHER RESOLVED** that said employment shall be effective July 20, 2022, and shall continue at the pleasure of the County Board Chairman and the County Board of Madison County, Illinois, in accordance with the Madison County Code of Ordinances, Chapter 30, paragraph 30.04, the personnel policies of the county, and the stated for the appointed position.

**BE IT FURTHER RESOLVED** that Frederick Guy Patterson shall receive a salary of Seventy Six Thousand and Zero Cents (\$76,000.00) per annum, to be paid in twenty-six (26) equal installments on the regularly scheduled County paydays and that said Appointed Official shall receive the benefits indicated in the adopted Personnel Policies for County Board Appointed Officials and Department Heads.

**BE IT FURTHER RESOLVED** that the definition and duties for the position of Director of the Madison County Emergency Management Agency are outlined in the position description, on file on the Human Resources Department.

**BE IT FURTHER RESOLVED** that the above-named Appointed Official shall indicate his/her acceptance of this appointment with all of the above-stated conditions, by signing this Resolution prior to its becoming effective.

Adopted this 20<sup>th</sup> day of July 2022.

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County Board Chairman

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Department Head Acceptance

**RESOLUTION – Z22-0035**

**WHEREAS**, on the 24<sup>th</sup> day of May 2022, a public hearing was held to consider the petition of Colby Schrupf, applicant on behalf of Frey Properties of Highland, LLC, owner of record, requesting a Special Use Permit as per §93.035, Section D, Item 1 of the Madison County Zoning Ordinance in order to construct a helicopter hangar and heliport on site for the storage of St. Joseph’s Hospital’s helicopter. This is located in an “M-2” General Manufacturing District in St. Jacob Township along Ellis Road, St. Jacob, Illinois, County Board District #4, PIN# 05-1-23-08-00-000-008.002; and,

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

**WHEREAS**, it was recommended in the aforesaid Report of Findings of the Madison County Zoning Board of Appeals and further amended by the Building & Zoning Committee that the petition of Colby Schrupf and Frey Properties of Highland, LLC, 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 Building & Zoning Committee should be approved and Resolution adopted.

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

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Mick Madison

\_\_\_\_\_  
s/ Dalton Gray  
Dalton Gray

\_\_\_\_\_  
Terry Eaker

\_\_\_\_\_  
s/ Ryan Kneedler  
Ryan Kneedler

\_\_\_\_\_  
Bill Meyer

\_\_\_\_\_  
s/ Nick Petrillo  
Nick Petrillo

\_\_\_\_\_  
s/ Robert Pollard  
Robert Pollard

\_\_\_\_\_  
s/ Bobby Ross  
Bobby Ross

\_\_\_\_\_  
s/ Victor Valentine  
Victor Valentine

**BUILDING & ZONING COMMITTEE  
JULY 7, 2022**

## **Finding of Fact and Recommendations**

### **Hearing Z22-0035**

Petition of Colby Schrumpf, applicant on behalf of Frey Properties of Highland, LLC, owner of record, requesting a Special Use Permit as per §93.035, Section D, Item 1 of the Madison County Zoning Ordinance in order to construct a helicopter hangar and heliport on site for the storage of St. Joseph's Hospital's helicopter. This is located in an "M-2" General Manufacturing District in St. Jacob Township **along Ellis Road, St. Jacob, Illinois**, County Board District #4, PIN# 05-1-23-08-00-000-008.002

**Members Present:** Don Metzler, Nicholas Cohan, George Ellis, Mary Goode, Cedric Irby, Sharon Sherrill

**Members Absent:** Thomas Ambrose

A **motion** was made by Sharon Sherrill and **seconded** by Nicholas Cohan that the petition of Colby Schrumpf and Frey Properties of Highland, LLC be **Approved with Conditions:**

1. The applicant/owner/operator shall keep the property in compliance with all Madison County Ordinances, including but not limited to the Madison County Zoning Ordinance.
2. Failure to comply with the conditions of the Special Use Permit will cause revocation and immediate removal of the use will be required.

**The Finding of Fact of the Board of Appeals:** **I.** The zoning file, staff report, 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.** Colby Schrumpf, applicant, said they are requesting a Special Use Permit to build a hangar for the storage of the St. Joseph's Hospital helicopter. He said that it would only be stored there in inclement weather and for routine maintenance and servicing; **VI.** Karen Luna, adjacent neighbor, stated that they said they would be flying in from the east, but her property is to the east. She said there is an airport within a mile, so why would they construct a helicopter pad here when they could go to the airport that is already approved by the FFA. Mrs. Luna said they want to do maintenance on the property, but has anyone thought about the fuel and if there could be an accidental spill; **VII.** Jeff Luna, adjacent neighbor, said they actually live in St. Jacob but his parents live on the adjacent property, and they hear the helicopter going over 3-5 times a week already. He asked how much more are they going to have to listen to it with the heliport on this property. He said, like his wife said, the airport is about a mile away, and there's another airport in Highland. He said there's other places they could put it that wouldn't bother his parents or the subdivision to the south; **VIII.** Sharon Sherrill, ZBA member, asked what size helicopter it is. Drew Nurrenbern, pilot and representative of Air Methods, said it's a single-engine helicopter that carries a pilot, a nurse, and a paramedic. He said that it sits on the pad at St. Joseph's Hospital, and they currently take the helicopter to Cahokia or downtown St. Louis for maintenance or during inclement weather, but that flight and drive time is not ideal for in-service rates and being there for the community. Mr. Nurrenbern said that they want to put the new hangar here to be much closer to the hospital. He said the local airports are all restricted and privately owned, so that was not an option. He said they picked this location because the zoning was already correct and there is a 24-hour heavy tow service next door. Mr. Nurrenbern said they try their best to not fly the helicopter over homes, and for this site, they plan to keep the helicopter over US Highway 40 and the railroad tracks to avoid flying close to homes. He said they will not keep fuel on site and will not fuel-up here. Ms. Sherrill noted that the helicopter wouldn't be there all the time, to which Mr. Nurrenbern replied that it would only be there during inclement weather and for maintenance. He said that they do regular maintenance on the helipad at the hospital, but if they have to take anything apart, they move the helicopter to an enclosed structure; **IX.** Willard Luna, adjacent property owner, said that he heard it would be a 24-hour operation and that they'll be able to do whatever they want after the zoning is approved. He said he hears the helicopter a lot, and he doesn't think this is a good thing for his family. Mr. Luna said all the neighbors will not be happy when this goes in, and he plans to move off the property, but his family will still be living there; **X.** Cedric Irby, ZBA member, asked what

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a typical day or week is like, and Mr. Nurrenbern said that they average 10-15 flights a month in the winter, and maybe 20-25 a month in the summer. Mr. Nurrenbern said they can be called at any time in any direction either going to another hospital or to an emergency site. He said the helicopter is a flying ICU, and they can carry more than a typical ambulance and get injured people to the hospital faster. Mr. Irby asked how conscience pilots are to avoid flying over homes, and Mr. Nurrenbern said that pilots do not like flying over homes or buildings and try to stay in more open areas in case of emergency. Mr. Irby asked if they have a maintenance schedule, to which Mr. Nurrenbern said that helicopter maintenance is based on either flight hours or time since the last service. Mr. Nurrenbern reiterated that this is not going to be a launch location, and they are based at the hospital. Mr. Irby asked about approval from the FAA, and Mr. Nurrenbern replied that IDOT and the FAA deal with the airspace, and they have an approval letter from IDOT, but they do not have full approval from the FAA yet, but that's for airspace rather than the ground location, and he doesn't see any issues with getting FAA approval. Mr. Irby asked about the power lines there, and Mr. Nurrenbern replied that they will first make their pilots aware of the power lines, and they plan to add the large orange marker balls on the lines; **XI.** Mrs. Luna said that there are fields all around there, and they will think they are flying over the open fields and not see the houses on them. Mrs. Luna asked if they have really exhausted all their options, to which Mr. Nurrenbern said they believe they have, and having the site on the hospital's property would be ideal, but they wouldn't allow it; **XII.** Mr. Schrumpf stated that this is a 20 acre commercial property, and they are placing the building up in the northwest corner by the railroad tracks with nothing directly to the east until the Village of St. Jacob; **XIII.** Willard Luna stated it's his understanding that once this is approved, it would become a 24-hour site, which wouldn't be nice at night. Mr. Nurrenbern said that it is possible they might move the helicopter at night if there is inclement weather but they try to put the helicopter away earlier rather than closer to the storms.

Roll-call vote.

**Ayes to the motion:** Nicholas Cohan, George Ellis, Mary Goode, Cedric Irby, Sharon Sherrill

**Nays to the motion:** None

Whereupon the Chairman declared the motion duly adopted.

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Chairman, Madison County Zoning Board of Appeals

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Secretary, Zoning Administrator

## Zoning Board of Appeals Staff Report

**Application Number:** Z22-0035

**Meeting Date:** May 24, 2022

**From:** Noelle Maxey  
Zoning Coordinator

**Location:** Along Ellis Road  
St. Jacob, Illinois  
County Board District #4 (Bobby Ross)  
PIN: 05-1-23-08-00-000-008.002

**Zoning Request:** Special Use Permit

**Description:** Heliport

**Attachments:** Attachment “A” – IDOT/FAA Federal Airspace Determination Letter



### Proposal Summary

The applicant is Colby Schrumpf, on behalf of Frey Properties of Highland, LLC, owner of record. The applicant is requesting a Special Use Permit (SUP) as per §93.035, Section D, Item 1 of the Madison County Zoning Ordinance in order to construct a helicopter hangar and heliport on site for the storage of St. Joseph's Hospital's helicopter. The subject property is zoned "M-2" General Manufacturing District and is located in St. Jacob Township along Ellis Road, St. Jacob, County Board District #4. In order for this request to be permitted, the ZBA must review and approve the application as per §93.176, Section A, Item 2 of the Madison County Zoning Ordinance.

### Planning & Zoning Considerations

- *Land Use and Zoning of Surrounding Properties*

Direction	Land Use	Zoning
North	CSX Corporation Railway	"A" Agricultural
South	Single-Family Dwellings/Timber	"A" Agricultural
East	Single-Family Dwelling/Row Cropping	"A" Agricultural
West	Warehousing/Storage	"M-2" General Manufacturing

- *Zoning History* – There have been no other zoning requests on the property in the past, and there are no outstanding violations.
- *SUP for Heliport* – The applicant is requesting a Special Use Permit in order to construct a helicopter hangar and heliport on site. In the narrative statement on page 6, the applicant states the property will be used for maintenance of the St. Joseph's Hospital helicopter and storage of the helicopter during inclement weather. The subject property is 11.5 acres of farmland, and according to the applicant, approximately 1.5 acres would be developed for this hangar and heliport. The hangar would be approximately 3500 sq ft in size, and the 2000 sq ft landing pad would be attached to the east end of the hangar. The applicant has been in contact with the Illinois Department of

Transportation (IDOT) regarding the proposed heliport. See page 7 for IDOT's letter. See page 4 for the site plan and page 5 for site photos.

### **Staff Review**

When reviewing an application, the following should be taken into consideration; (1) precedent, (2) standards of review and (3) public input.

1. In the last 15 years, there have been no other requests for a Special Use Permit for a heliport and helicopter hangar, but there have been 3 Special Use Permit requests for private airports/landing strips, all of which were approved.
2. The below Standards of Review for Special Use Permits should be taken into consideration for this request. If the ZBA feels the request does not meet the below Standards of Review, the ZBA has the authority to place additional conditions of approval to the SUP or recommend denial of the request.
3. Public input during the hearing has value and should be considered by staff and the ZBA when making a recommendation. Staff will provide a formal recommendation based on the outcome of the public hearing.

### **Conditions of Approval**

1. The applicant/owner/operator shall keep the property in compliance with all Madison County Ordinances, including but not limited to the Madison County Zoning Ordinance.
2. Failure to comply with the conditions of the Special Use Permit will cause revocation and immediate removal of the use will be required.

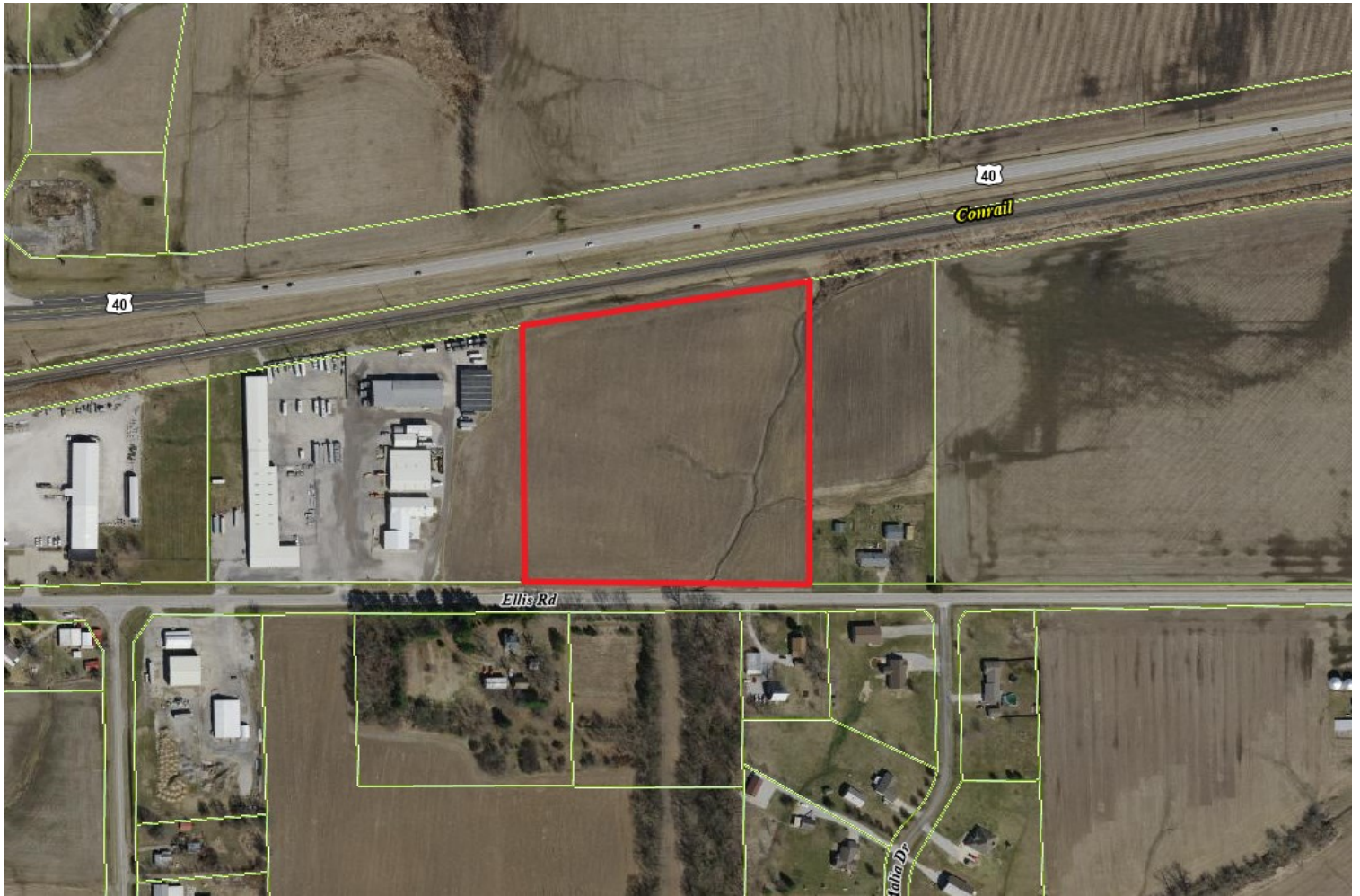
### **Standard of Review for Special Use Permits**

As per §93.178, Section (F), Items (1-7), below are the seven (7) consideration items listed in the Zoning Ordinance that the Zoning Board of Appeals shall take into account while reviewing a SUP request.

1. The effect the proposal would have on the county comprehensive plan;
2. The effect the development would have on schools, traffic, streets, shopping, public utilities, and adjacent properties;
3. Whether the application is necessary for the public convenience at that location;
4. In the case of an existing nonconforming use, whether a special use permit would make the use more compatible with its surroundings;
5. Whether the application is designed, located, and proposed to be operated in a manner that protects the public health, safety, and welfare;
6. Whether the application will cause injury to the value of other property in the neighborhood in which it is located; and,
7. Whether the special use would be detrimental to the essential character of the district in which it is located.



## Aerial Photograph



The subject property is shown in red. Please note property lines may be skewed to imagery.

Site Plan





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## Site Photographs



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## Narrative Statement

### **Colby Schrumpf**

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Directly to the East of 10085 Ellis Road in Saint Jacob we are requesting a special use permit to construct a helicopter hanger. The hanger will approximately be 50'x70' and the landing pad will be 50'x40' attached to the East end of building. This building will have its own entrance lane off of Ellis Road and be constructed in the NW corner of parcel number 05-1-23-08-00-000-008.002 and directly South of the railroad tracks. This facility will be built to house the Highland Hospital helicopter during inclement weather and for routine service. It would be landing and approaching the site from the East where not to disturb any neighboring properties. This property is currently a vacant 11.5 acre parcel zoned M2 and being farmed. We are looking at developing approximately 1.5 acres with this site to incorporate some grass and parking area around the building.

Colby Schrumpf  
Frey Properties of Highland, LLC  
618-779-6602

Attachment "A" – Illinois Department of Transportation (IDOT) Letter



# Illinois Department of Transportation

Division of Aeronautics

1 Langhorne Bond Drive / Capital Airport / Springfield, Illinois / 62707-8415

## NOTICE OF FEDERAL AIRSPACE DETERMINATION

June 23, 2022

Frey Properties  
P.O. Box 467  
Highland, IL 62249

Re: Application to Construct a new Restricted Landing Area (RLA) known as Air  
Methods RLA near St. Jacobs, Illinois  
FAA Airspace Case # 2022-AGL-6443-NRA

Dear Mr. Andrew Nurrenbern

On June 1, 2022, the Division submitted the above referenced airspace case to the Federal Aviation Administration (FAA) for their review. Based on their reply dated June 17, 2022, we summarize their comments as follows:

***The FAA has no Objection with Provision***

Recommend all ingress/egress routes have at the very minimum a clear 8 to 1 Visual approach slope and any Flight Standard provisions must be satisfactorily addressed prior to issuing a determination

No IFR Effect

**NOTE:**

All IDOT Division of Aeronautics minimum standards as contained in the Aviation Safety Rules must be maintained, regardless of the Federal Aviation Administration's Airspace Determination.

The IDOT-Division of Aeronautics will file an initial 5010-5 form on your behalf, to the FAA, to activate the airport in the FAA airspace system, upon certification of the heliport. In the future you may receive this form directly from them, which you must sign and return each year after this.

Please be advised that the 5010-5 form is the only method the FAA has for tracking the existence of private facilities. Failure to promptly return any such correspondence from the FAA could result in the assumption that your airport is no longer in existence.



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This notice does not ensure protection of the airport environment by Federal, State and Local zoning ordinances.

Any questions regarding Air Methods RLA should be directed to Dennis Jarman at (217) 785-5798 with IDOT Division of Aeronautics.

Sincerely,

  
Clayton Stambaugh, MPA  
Division of Aeronautics, IDOT

CC: Chicago ADO

**RESOLUTION – Z22-0036**

**WHEREAS**, on the 28<sup>th</sup> day of June 2022, a public hearing was held to consider the petition of Ronald and Rita Christlieb, owners of record, requesting a Special Use Permit as per §93.023, Section D, Item 21 of the Madison County Zoning Ordinance in order operate an overnight campground on site. This is located in an “A” Agricultural District in Omphgent Township at 7645 Possum Hill Road, Worden, Illinois, County Board District #3, PIN# 12-1-04-32-00-000-005.003; and,

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

**WHEREAS**, it was recommended in the aforesaid Report of Findings of the Madison County Zoning Board of Appeals that the petition of Ronald and Rita Christlieb be **Approved with Conditions** as follows:

1. This Special Use Permit is granted for the sole usage of Ronald and Rita Christlieb. Any change of ownership or occupant of the property will require a new Special Use Permit to continue operating the overnight campground.
2. There shall be no more than 4 camping sites on the property for tent camping only. Camping trailers and RVs are not permitted.
3. The applicant/owner/operator shall keep the property in compliance with all Madison County Ordinances, including but not limited to the Madison County Zoning Ordinance.
4. Failure to comply with the conditions of the Special Use Permit will cause revocation and immediate removal of the use will be required.

**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

s/ Dalton Gray  
Dalton Gray

\_\_\_\_\_  
Terry Eaker

s/ Ryan Kneidler  
Ryan Kneidler

\_\_\_\_\_  
Bill Meyer

s/ Nick Petrillo  
Nick Petrillo

s/ Robert Pollard  
Robert Pollard

s/ Bobby Ross  
Bobby Ross

s/ Victor Valentine  
Victor Valentine

**BUILDING & ZONING COMMITTEE**  
**JULY 7, 2022**

## **Finding of Fact and Recommendations**

### **Hearing Z22-0036**

Petition of Ronald and Rita Christlieb, owners of record, requesting a Special Use Permit as per §93.023, Section D, Item 21 of the Madison County Zoning Ordinance in order to operate an overnight campground on site. This is located in Omphgent Township at **7645 Possum Hill Rd, Worden, Illinois**, County Board District #3, PIN# 12-1-04-32-00-000-005.003

**Members Present:** Thomas Ambrose, George Ellis, Mary Goode, Cedric Irby, Sharon Sherrill

**Members Absent:** Don Metzler, Nicholas Cohan

A **motion** was made by Sharon Sherrill and **seconded** by Mary Goode that the petition of Ronald and Rita Christlieb be **Approved with Conditions** as follows:

1. This Special Use Permit is granted for the sole usage of Ronald and Rita Christlieb. Any change of ownership or occupant of the property will require a new Special Use Permit to continue operating the overnight campground.
2. There shall be no more than 4 camping sites on the property for tent camping only. Camping trailers and RVs are not permitted.
3. The applicant/owner/operator shall keep the property in compliance with all Madison County Ordinances, including but not limited to the Madison County Zoning Ordinance.
4. Failure to comply with the conditions of the Special Use Permit will cause revocation and immediate removal of the use will be required.

**The Finding of Fact of the Board of Appeals:** **I.** The zoning file, staff report, 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.** Ronald Christlieb, applicant, stated that they are requesting to have primitive tent camping on the property. He said they have slightly under 5 acres with a pond, and they have 4 camping sites. He said they've been operating for about 4-5 years. He said people book through Hip Camp, and they don't advertise any other way; **VI.** Thomas Ambrose, ZBA member, asked if they plan to expand to more than 4 camp sites, and Mr. Christlieb said they are not and 4 is more than enough; **VII.** George Ellis, Chairman Pro Tem, asking if they have restroom facilities on site, to which Mr. Christlieb responded they let the campers use the bathroom in their home if needed; **VIII.** Sharon Sherrill, ZBA member, asked if they have fencing, to which Mr. Christlieb stated there is fencing around the whole property; **IX.** Cedric Irby, ZBA member, asked if they do background checks on the campers, and Mr. Christlieb responded that Hip Camp does the checks, and the campers are required to provide all their information when they book. Mr. Irby asked if these are younger people, and Mr. Christlieb said they mostly have 20-30 year olds but have had seniors and families. Mr. Irby asked if any neighbors have complained, to which Mr. Christlieb responded that they hadn't but someone must have recently because that's how all this came about; **X.** Ms. Sherrill asked about the opposition letter that mentions a cattle operation and electric fence. Mr. Christlieb said he's not aware of any cattle operation or electric fences, and the farm next door has cattle but not an electric fence on that side. He stated that side is all wooded on his property, and he can't see the cattle from his property; **XI.** Mr. Irby asked what the maximum number of campers he'd have, and Mr. Christlieb responded 6 per site. He said that so far this year they have had only 17 bookings since January, so that's only 17 days that they've had people staying there. Mr. Irby asked if it's seasonal, and Mr. Christlieb said they will let people camp in the winter if they want to. Mr. Christlieb said the campers are usually only on the property at night; **XII.** Chairman Pro Tem Ellis asked if any neighbors have complained about noise, and Mr. Christlieb said they haven't. Chairman Pro Tem Ellis asked if there has been any illegal activity from the campers, to which Mr. Christlieb said not that he is aware of, and they've never had the sheriffs called out. Chairman Pro Tem Ellis asked how they contain the campfires. Mr. Christlieb said he monitors it, and if it's dry and close to harvest time, they don't allow

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fires; **XIII.** Ms. Sherrill asked if there is a limit placed on the number of sites they can have, to which Noelle Maxey, Zoning Coordinator, stated that the ZBA can add that as a condition of approval when the motion is made; **XIV.** Mr. Irby asked where the campers park, to which Mr. Christlieb responded that they park on the lawn near the campsites, but if it's been rainy, they will park on the driveway which has plenty of parking space; **XV.** John Goldsmith, adjacent neighbor, asked Mr. Christlieb if it would be 24 for their maximum capacity since it's 6 per site, and Mr. Christlieb responded yes, if they had 6 campers at each site. Mr. Goldsmith asked if there is a cap on the number of cars, and Mr. Christlieb stated they would have 1 vehicle per site; **XVI.** Ms. Maxey read aloud the following two letters of opposition that were submitted for the record via email: (1) "I am adjacent landowner (12-1-04-32-00-000-008.001) and have a 40 year cattle operation. I object to the special use permit for overnight camping in referenced file. My concerns are -Dogs-Children-Electric Fence-Cattle Welfare-Increased Liability Exposure. Please register my objection. Martin Siglock, 7735 Possum Hill Road, Worden, IL" (2) "We are objecting to this rezoning request for the following reasons: 1. Having a business in a residential and farming area. 2. Having transient people with no ties to the community not knowing what type of people would be staying there. 3. Possible trespassing and damage to homes and crops in the surrounding areas. 4. Possible illegal activity. 5. Building fires and using fireworks during dry season around crop lands. 6. These campers would bare no responsibility in maintaining this area and surrounding areas. ex: trash, noise, etc. Sincerely, Dennis and Gail Mueller, 7667 Goshen Road, Edwardsville, Illinois"

Roll-call vote.

**Ayes to the motion:** Thomas Ambrose, George Ellis, Sharon Sherrill

**Nays to the motion:** Cedric Irby, Mary Goode

Whereupon the Chairman declared the motion duly adopted.

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Chairman, Madison County Zoning Board of Appeals

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Secretary, Zoning Administrator

## Zoning Board of Appeals Staff Report

**Application Number:** Z22-0036

**Meeting Date:** June 28, 2022

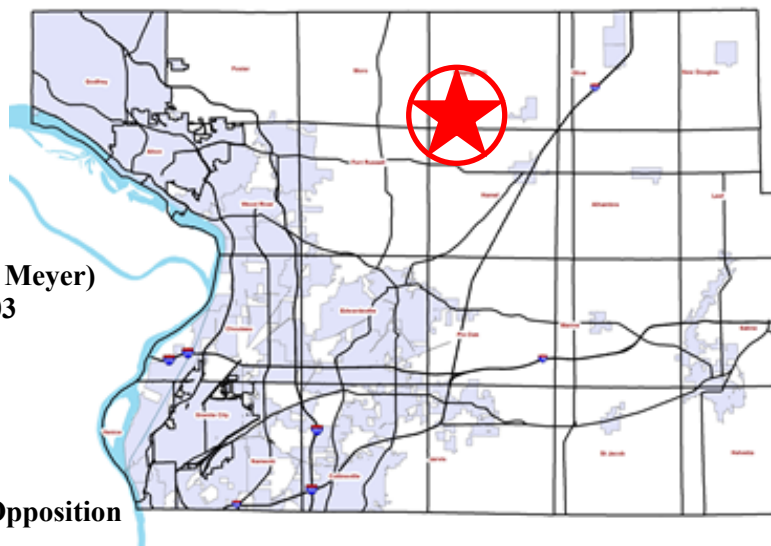
**From:** Noelle Maxey  
Zoning Coordinator

**Location:** 7645 Possum Hill Road  
Worden, Illinois  
County Board District #3 (Bill Meyer)  
PIN: 12-1-04-32-00-000-005.003

**Zoning Request:** Special Use Permit

**Description:** Overnight Campground

**Attachments:** Attachment “A” – Letters of Opposition



### Proposal Summary

The applicants are Ronald and Rita Christlieb, owners of record. The applicants are requesting a Special Use Permit (SUP) as per §93.023, Section D, Item 21 of the Madison County Zoning Ordinance in order to operate an overnight campground on site. The subject property is zoned “A” Agricultural District and is located in Omphghent Township at 7645 Possum Hill Road, Worden, County Board District #3. In order for this request to be permitted, the ZBA must review and approve the application as per §93.176, Section A, Item 2 of the Madison County Zoning Ordinance.

### Planning & Zoning Considerations

- *Land Use and Zoning of Surrounding Properties*

Direction	Land Use	Zoning
North	Timber	“A” Agricultural
South	Single-Family Dwelling	“A” Agricultural
East	Single-Family Dwelling/Row Crops	“A” Agricultural
West	Single-Family Dwellings	“A” Agricultural/”B-1” Limited Business

- *Zoning History* – There have been no other zoning requests on the property in the past. The property is currently under violation for operating this overnight campground without a Special Use Permit. Approval of this request would resolve the violation.
- *SUP for Overnight Campground* – The applicants are requesting a Special Use Permit in order to operate an overnight campground on the property with their home and pond. According to the narrative statement, the camping is tent-only with no services provided and no camping trailers or RVs allowed. The applicants also state that they have 0-3 campers a month and parking is provided on site. See page 4 for the site plan and page 5 for site photos.



### **Staff Review**

When reviewing an application, the following should be taken into consideration; (1) precedent, (2) standards of review and (3) public input.

1. In the last 15 years, there have been no other requests for a Special Use Permit for an overnight campground.
2. The below Standards of Review for Special Use Permits should be taken into consideration for this request. If the ZBA feels the request does not meet the below Standards of Review, the ZBA has the authority to place additional conditions of approval to the SUP or recommend denial of the request.
3. Public input during the hearing has value and should be considered by staff and the ZBA when making a recommendation. Staff will provide a formal recommendation based on the outcome of the public hearing.

### **Conditions of Approval**

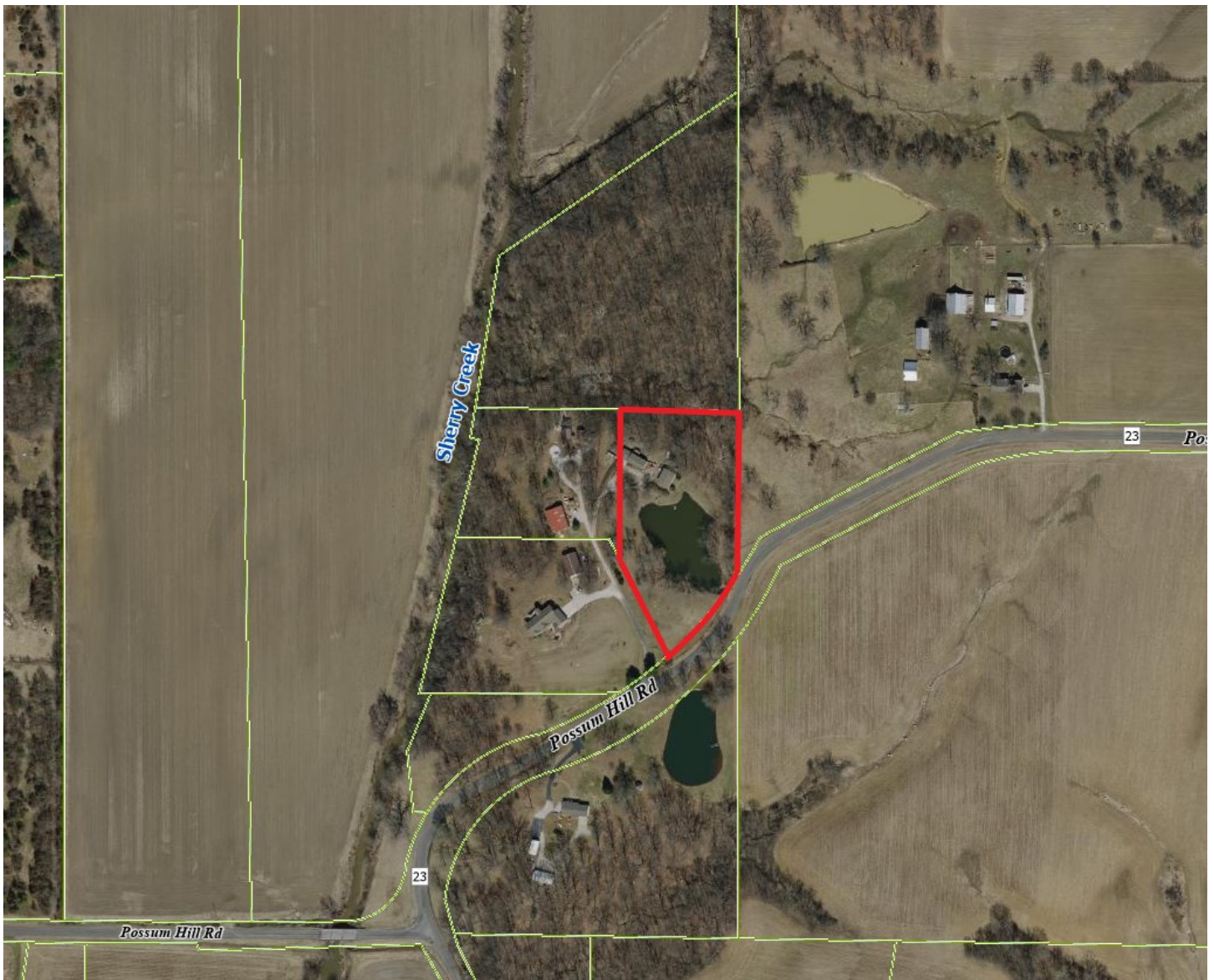
1. This Special Use Permit is granted for the sole usage of Ronald and Rita Christlieb. Any change of ownership or occupant of the property will require a new Special Use Permit to continue operating the overnight campground.
2. There shall be no more than 4 camping sites on the property for tent camping only. Camping trailers and RVs are not permitted.
3. The applicant/owner/operator shall keep the property in compliance with all Madison County Ordinances, including but not limited to the Madison County Zoning Ordinance.
4. Failure to comply with the conditions of the Special Use Permit will cause revocation and immediate removal of the use will be required.

### **Standard of Review for Special Use Permits**

As per §93.178, Section (F), Items (1-7), below are the seven (7) consideration items listed in the Zoning Ordinance that the Zoning Board of Appeals shall take into account while reviewing a SUP request.

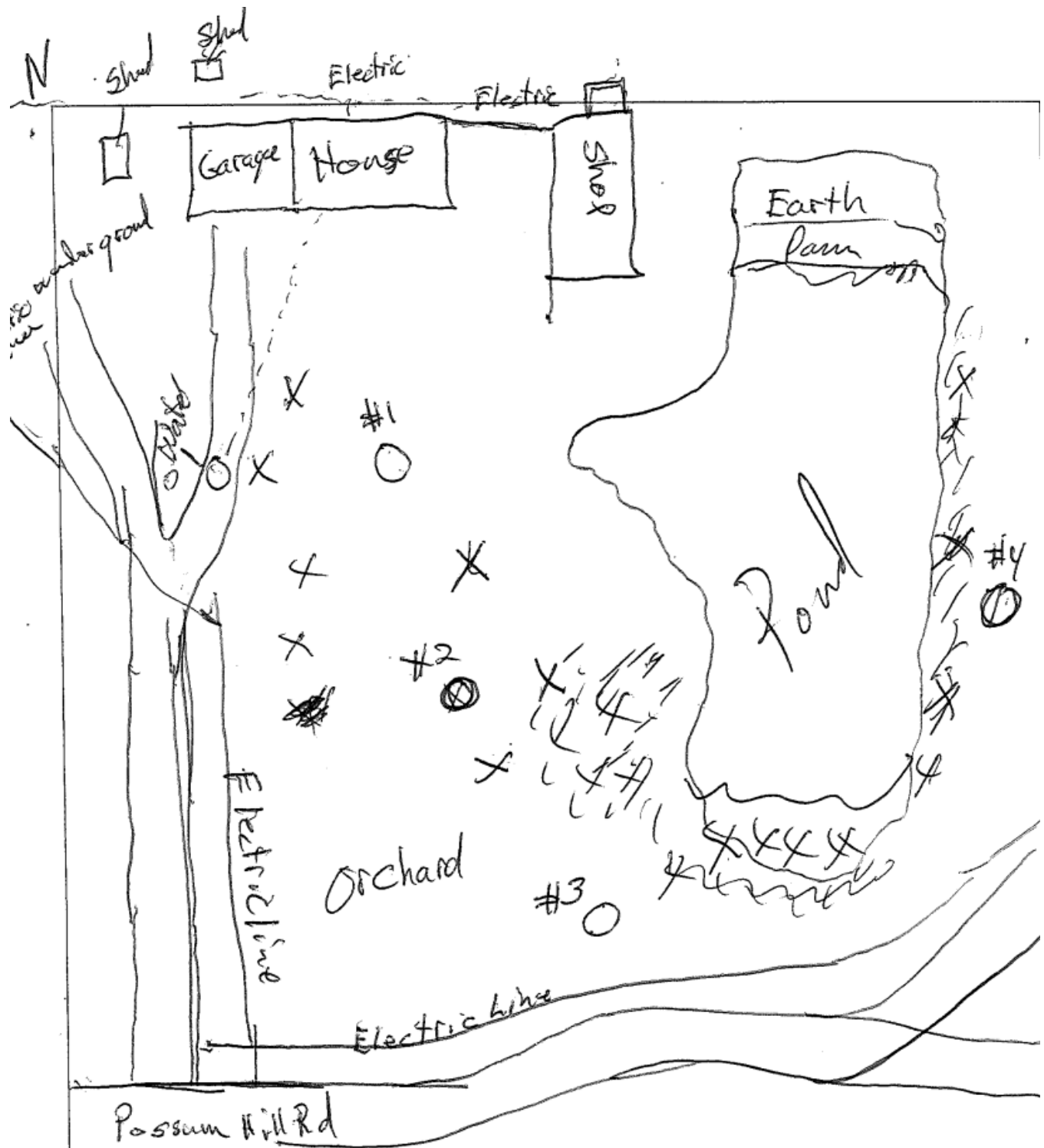
1. The effect the proposal would have on the county comprehensive plan;
2. The effect the development would have on schools, traffic, streets, shopping, public utilities, and adjacent properties;
3. Whether the application is necessary for the public convenience at that location;
4. In the case of an existing nonconforming use, whether a special use permit would make the use more compatible with its surroundings;
5. Whether the application is designed, located, and proposed to be operated in a manner that protects the public health, safety, and welfare;
6. Whether the application will cause injury to the value of other property in the neighborhood in which it is located; and,
7. Whether the special use would be detrimental to the essential character of the district in which it is located.

**Aerial Photograph**



The subject property is outlined in red. Please note property lines may be skewed to imagery.

Site Plan





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## Site Photographs





## Narrative Statement

### Camp narrative

We have been allowing camping on our 4.75 acres property since the spring of 2018. We have 0 to 3 campers a month. Spring, Summer, and Fall months are when we have most of the campers. Rarely do we have 2 groups at the same time. Group size varies, but 6 is the largest allowed per site normally.

The camps are considered primitive. Tent camping only, no camping trailers or RVs. No services are provided.

Fire rings are located at the sites. Open fires are allowed when weather conditions permit it. This includes when the crops in the field across the road begin to dry out. After camper leaves I check to assure that the fire has been extinguished.

We do not allow swimming, boating, or fishing in the pond.

We provide a fenced in area for camping. Safe, clean, and mowed for a fun place to camp.

Parking is at the site unless weather conditions hinder them from doing so. Then they park in our driveway.

All trash is removed by campers or placed into our trash can.

**Attachment "A" – Letters of Opposition**

I am adjacent landowner(12-1-04-32-00-000-008.001) and have a 40 year cattle operation. I object to the special use permit for overnight camping in referenced file. My concerns are -Dogs-Children-Electric Fence-Cattle Welfare-Increased Liability Exposure.

Please register my objection.

Martin Siglock  
7735 Possum Hill Road  
Worden, IL

We are objecting to this rezoning request for the following reasons:

1. Having a business in a residential and farming area.
2. Having transient people with no ties to the community not knowing what type of people would be staying there.
3. Possible trespassing and damage to homes and crops in the surrounding areas.
4. Possible illegal activity.
5. Building fires and using fireworks during dry season around crop lands.
6. These campers would bare no responsibility in maintaining this area and surrounding areas. ex:trash.  
noise, etc.

Sincerely,

Dennis and Gail Mueller  
7667 Goshen Road  
Edwardsville, Illinois

**RESOLUTION – Z22-0038**

**WHEREAS**, on the 28<sup>th</sup> day of June 2022, a public hearing was held to consider the petition of SBK Group, LLC, applicant on behalf of Ronald and Larry Blake and Jerry McDonald, owners of record, requesting a Special Use Permit as per §93.032, Section D, Item 7 of the Madison County Zoning Ordinance in order to operate an Eating and Drinking Establishment in the existing structure on site. This is located in an “B-4” Wholesale Business District in Chouteau Township at 5528 Maryville Road, Granite City, Illinois, County Board District #21, PIN# 18-1-14-33-02-201-001; and,

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

**WHEREAS**, it was recommended in the aforesaid Report of Findings of the Madison County Zoning Board of Appeals that the petition of SBK Group, LLC, Ronald and Larry Blake, and Jerry McDonald be **Approved with Conditions** as follows:

1. This Special Use Permit is granted for the sole usage of SBK Group, LLC, and is not transferable to future owners/tenants. Any change of owner/tenant of the property will require a new Special Use Permit.
2. The owner/tenant/operator shall keep the property in compliance with all Madison County Ordinances, including but not limited to the Madison County Zoning Ordinance.

**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

\_\_\_\_\_  
**s/ Dalton Gray**  
Dalton Gray

\_\_\_\_\_  
Terry Eaker

\_\_\_\_\_  
**s/ Ryan Kneedler**  
Ryan Kneedler

\_\_\_\_\_  
Bill Meyer

\_\_\_\_\_  
**s/ Nick Petrillo**  
Nick Petrillo

\_\_\_\_\_  
**s/ Robert Pollard**  
Robert Pollard

\_\_\_\_\_  
**s/ Bobby Ross**  
Bobby Ross

\_\_\_\_\_  
**s/ Victor Valentine**  
Victor Valentine

**BUILDING & ZONING COMMITTEE**  
**JULY 7, 2022**

## **Finding of Fact and Recommendations**

### **Hearing Z22-0038**

Petition of SBK Group, LLC, applicant on behalf of Ronald and Larry Blake, owners of record, requesting a Special Use Permit as per §93.032, Section D, Item 7 of the Madison County Zoning Ordinance in order to operate an Eating and Drinking Establishment in the existing structure on site. This is located in a “B-4” Wholesale Business District in Chouteau Township at **5528 Maryville Road, Granite City, Illinois**, County Board District #21, PIN# 18-1-14-33-02-201-001

**Members Present:** Thomas Ambrose, George Ellis, Mary Goode, Cedric Irby, Sharon Sherrill

**Members Absent:** Don Metzler, Nicholas Cohan

A **motion** was made by Mary Goode and **seconded** by Thomas Ambrose that the petition of SBK Group, LLC, and Ronald and Larry Blake be **Approved with Conditions** as follows:

1. This Special Use Permit is granted for the sole usage of SBK Group, LLC, and is not transferable to future owners/tenants. Any change of owner/tenant of the property will require a new Special Use Permit.
2. The owner/tenant/operator shall keep the property in compliance with all Madison County Ordinances, including but not limited to the Madison County Zoning Ordinance.

**The Finding of Fact of the Board of Appeals:** **I.** The zoning file, staff report, 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.** The realtor involved in the sale of the property to SBK Group, LLC, introduced Jerry McDonald, one of the owners of record; **VI.** Cedric Irby, ZBA member, asked what they are wanting to do with the property, to which the realtor responded that the new bar and grill will be run like it is now and try to improve on it. Mr. McDonald stated that it was built as a bar in 1955 and has been a bar since; **VII.** Thomas Ambrose, ZBA member, asked if they are in operation now, and they said that they are. The realtor stated he had just eaten there two days prior; **VIII.** The realtor stated that it was time for Mr. McDonald to retire, and they found someone to buy the property. Mr. McDonald stated he was in the military for 28 years, then ran the bar for 27 years.

Roll-call vote.

**Ayes to the motion:** Thomas Ambrose, Mary Goode, Cedric Irby, Sharon Sherrill

**Nays to the motion:** None

Whereupon the Chairman declared the motion duly adopted.

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Chairman, Madison County Zoning Board of Appeals

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Secretary, Zoning Administrator



## Zoning Board of Appeals Staff Report

**Application Number:** Z22-0038

**Meeting Date:** June 28, 2022

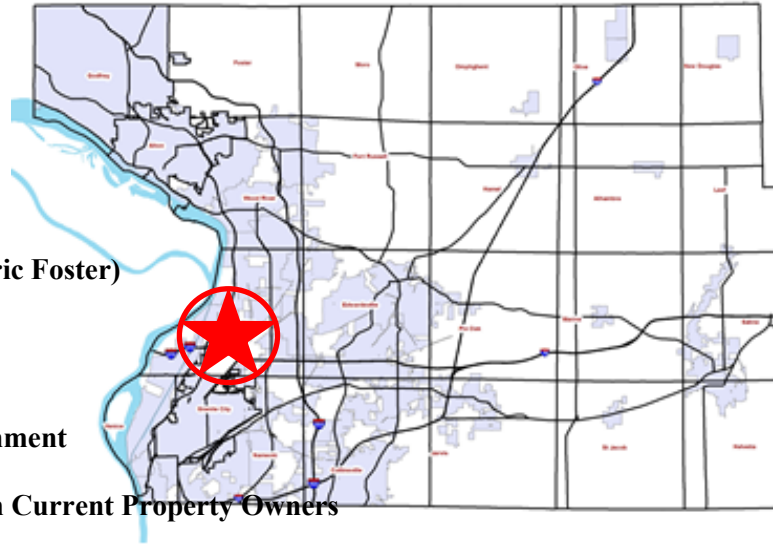
**From:** Noelle Maxey  
Zoning Coordinator

**Location:** 5528 Maryville Road  
Granite City, Illinois  
County Board District #21 (Eric Foster)  
PIN: 18-1-14-33-02-201-001

**Zoning Request:** Special Use Permit

**Description:** Eating and Drinking Establishment

**Attachments:** Attachment “A” – Letter from Current Property Owners



### Proposal Summary

The applicant is SBK Group, LLC, on behalf of Ronald and Larry Blake, owners of record. The applicant is requesting a Special Use Permit (SUP) as per §93.032, Section D, Item 7 of the Madison County Zoning Ordinance in order to operate an Eating and Drinking Establishment in the existing structure on site. The subject property is zoned “B-4” Wholesale Business District and is located in Chouteau Township at 5528 Maryville Road, Granite City, County Board District #21. In order for this request to be permitted, the ZBA must review and approve the application as per §93.176, Section A, Item 2 of the Madison County Zoning Ordinance.

### Planning & Zoning Considerations

- *Land Use and Zoning of Surrounding Properties*

Direction	Land Use	Zoning
North	Vacant	“B-3” Highway Business
South	Eating & Drinking Establishment	“B-4” Wholesale Business
East	Timber	“B-2” General Business/”B-3” Highway Business/”R-3” Single-Family Residential
West	Strip Mall	“B-3” Highway Business

- *Zoning History* – There have been no other zoning hearings on the property in the past, and there are no outstanding violations.
- *SUP for Eating and Drinking Establishment* – The applicant is requesting a Special Use Permit in order to operate an Eating and Drinking Establishment in the existing structure on site. The property and structure are currently being used for Paddy McD’s bar and grill, but since the property owner is changing, and the previous owners were operating without a Special Use Permit, a Special Use Permit is now required. The applicant is intending to keep the same name for the bar and grill and continue operating it in the same manner. See page 4 for the site plan and page 6 for site photos.

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- *Structures and Parking* – The existing structure on site is currently being used as a bar and grill. The new Eating and Drinking Establishment will be located within this structure and will utilize the existing parking areas on the front and side of the building.

### **Staff Review**

When reviewing an application, the following should be taken into consideration; (1) precedent, (2) standards of review and (3) public input.

1. In the last 15 years, there have been 8 other requests for a Special Use Permit to operate an Eating & Drinking Establishment. All were approved.
2. The below Standards of Review for Special Use Permits should be taken into consideration for this request. If the ZBA feels the request does not meet the below Standards of Review, the ZBA has the authority to place additional conditions of approval to the SUP or recommend denial of the request.
3. Public input during the hearing has value and should be considered by staff and the ZBA when making a recommendation. Staff will provide a formal recommendation based on the outcome of the public hearing.

### **Conditions of Approval**

If the Zoning Board of Appeals chooses to recommend approval, staff recommends the following conditions:

1. This Special Use Permit is granted for the sole usage of SBK Group, LLC, and is not transferable to future owners/tenants. Any change of owner/tenant of the property will require a new Special Use Permit.
2. The owner/tenant/operator shall keep the property in compliance with all Madison County Ordinances, including but not limited to the Madison County Zoning Ordinance.

### **Standard of Review for Special Use Permits**

As per §93.178, Section (F), Items (1-7), below are the seven (7) consideration items listed in the Zoning Ordinance that the Zoning Board of Appeals shall take into account while reviewing a SUP request.

1. The effect the proposal would have on the county comprehensive plan;
2. The effect the development would have on schools, traffic, streets, shopping, public utilities, and adjacent properties;
3. Whether the application is necessary for the public convenience at that location;
4. In the case of an existing nonconforming use, whether a special use permit would make the use more compatible with its surroundings;
5. Whether the application is designed, located, and proposed to be operated in a manner that protects the public health, safety, and welfare;
6. Whether the application will cause injury to the value of other property in the neighborhood in which it is located; and,
7. Whether the special use would be detrimental to the essential character of the district in which it is located.

## Aerial Photograph



The subject property is outlined in orange. Please note property lines may be skewed to imagery.



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**Site Plan**





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## Site Photographs





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**Narrative Statement**

TO,

Madison County Planning and Development

Edwardsville IL 62025

Sub: Statement for our plan in the property

Respected Sir/madam,

We are in contract to purchase existing property located at 5528 Maryville Rd, Granite City, IL 62040. We will continue to rent to Paddy MaD's Inc. to existing business as a Bar, Restaurant, Gamming.

Thanks for your kind cooperation.

Thanks again,

*Ken Patel*

SBK Group LLC

**Attachment "A" – Letter from Current Property Owners**

April 4, 2022

To Whom It May Concern:

I, Jerry McDonald, Larry Blake, Ronald Blake have  
an agreed upon contract to sell my property located at 5528 Maryville Rd, Granite City,  
IL 62040 to SBK Group LLC with a planned closing on the property in ASAP.

Thanks,

*Jerry McDonald, Larry Blake, Ronald Blake*

Current Owner (5528 Maryville Rd, Granite City, IL, 62040)



4/25/2022

*[Signature]* - Notary Public

**RESOLUTION – Z22-0039**

**WHEREAS**, on the 28<sup>th</sup> day of June 2022, a public hearing was held to consider the petition of Kent and Margaret Barnett, owners of record, requesting a variance as per §93.051, Section A, Item 2, Subsection (b) of the Madison County Zoning Ordinance in order to construct an accessory structure that would be 25 feet tall instead of the maximum 20 feet allowed. This is located in an “R-3” Single-Family Residential District in Wood River Township at 758 Birch Street, East Alton, Illinois, County Board District #13, PIN# 19-2-08-14-04-402-018; and,

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

**WHEREAS**, it was recommended in the aforesaid Report of Findings of the Madison County Zoning Board of Appeals that the petition of Kent and Margaret Barnett be as follows: **Approved**; 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

s/ Dalton Gray  
Dalton Gray

\_\_\_\_\_  
Terry Eaker

s/ Ryan Kneedler  
Ryan Kneedler

\_\_\_\_\_  
Bill Meyer

s/ Nick Petrillo  
Nick Petrillo

s/ Robert Pollard  
Robert Pollard

s/ Bobby Ross  
Bobby Ross

s/ Victor Valentine  
Victor Valentine

**BUILDING & ZONING COMMITTEE  
JULY 7, 2022**



## **Finding of Fact and Recommendations**

### **Hearing Z22-0039**

Petition of Kent and Margaret Barnett, owners of record, requesting a variance as per §93.051, Section A, Item 2, Subsection (b) of the Madison County Zoning Ordinance in order to construct an accessory structure that would be 25 feet tall instead of the maximum 20 feet allowed. This is located in an “R-3” Single-Family Residential District in Wood River Township at **758 Birch Street, East Alton**, Illinois, County Board District #13, PIN# 19-2-08-14-04-402-018

**Members Present:** Thomas Ambrose, George Ellis, Mary Goode, Cedric Irby, Sharon Sherrill

**Members Absent:** Don Metzler, Nicholas Cohan

A **motion** was made by Thomas Ambrose and **seconded** by Sharon Sherrill that the petition of Kent and Margaret Barnett be as follows: **Approved.**

**The Finding of Fact of the Board of Appeals:** **I.** The zoning file, staff report, 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.** Margaret Barnett, applicant, stated they are requesting a variance for extra height to have taller doors for camper storage; **VI.** Cedric Irby, ZBA member, asked if they were tearing down the existing garage or adding on to it, to which Mrs. Barnett stated this is a detached accessory structure that would be behind the house. Mr. Irby asked if there would be an apartment in it, and Mrs. Barnett said no, they have 4 vehicles, a trailer, and camper that they want to be able to store inside; **VII.** Noelle Maxey, Zoning Coordinator, read aloud the following two letters of support that were submitted for the record via email: (1) “I recently met Mr. And Mrs. Barnett and I have no problem with them going an extra 5 ft in height. Marc Waters (Madison county taxpayer), 759 East Rosedale” (2) “I will not be at the scheduled meeting. I **do not** oppose the request from the above owners of record to construct 25' tall out building. Sincerely John Carter, 749 E Rosedale Dr.”

Roll-call vote.

**Ayes to the motion:** Thomas Ambrose, Mary Goode, Cedric Irby, Sharon Sherrill

**Nays to the motion:** None

Whereupon the Chairman declared the motion duly adopted.

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Chairman, Madison County Zoning Board of Appeals

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Secretary, Zoning Administrator

## Zoning Board of Appeals Staff Report

**Application Number:** Z22-0039

**Meeting Date:** June 28, 2022

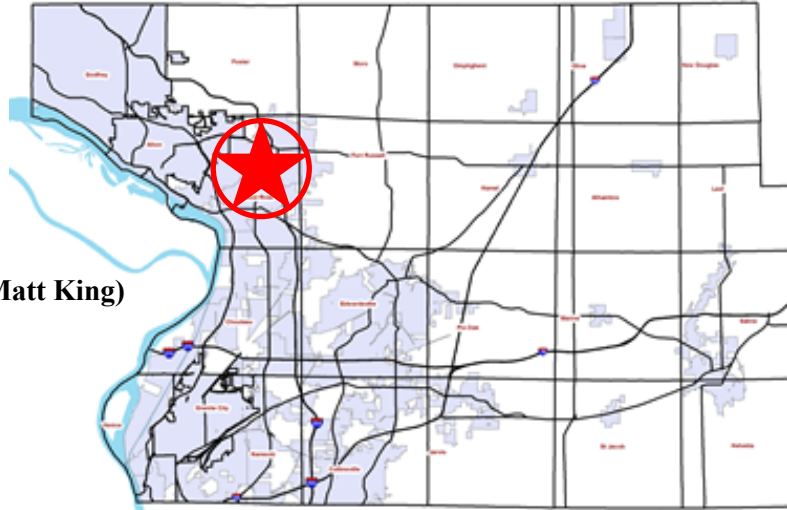
**From:** Noelle Maxey  
Zoning Coordinator

**Location:** 758 Birch Street  
East Alton, Illinois  
County Board District #13 (Matt King)  
PIN: 19-2-08-14-04-402-018

**Zoning Request:** Variance

**Description:** Accessory Structure Height

**Attachments:** Attachment “A” – Letters of Support from Neighbors



### Proposal Summary

The applicants are Kent and Margaret Barnett, owners of record. The subject property is zoned “R-3” Single-Family Residential District and is located in Wood River Township at 758 Birch Street, East Alton, County Board District #13. The applicants are requesting a variance as per §93.051, Section A, Item 2, Subsection (a) of the Madison County Zoning Ordinance in order to construct an accessory structure that would be 25 feet tall instead of the maximum 20 feet allowed. In order for the applicant to be issued a building permit to construct the accessory structure, the subject variance must be reviewed and approved by the Zoning Board of Appeals (ZBA) as per §93.176, Section A, Item 1 of the Madison County Zoning Ordinance.

### Planning & Zoning Considerations

- *Land Use and Zoning of Surrounding Properties*

Direction	Land Use	Zoning
North	Single-Family Dwellings	“R-3” Single-Family Residential
South	Single-Family Dwellings	“R-3” Single-Family Residential
East	Single-Family Dwelling	“R-3” Single-Family Residential
West	Single-Family Dwelling	“R-3” Single-Family Residential

- *Zoning History* – There have been no other zoning requests on the subject property in the past, and there are no outstanding violations on the property.
- *Variance for Accessory Building Height* – The applicants are requesting to construct an accessory structure with a height of 25 feet instead of the maximum 20 feet allowed in Residential Districts. According to the application provided, the additional height is needed for the storage of a camper and to have attic storage in the structure. See page 4 for site photos and page 5 for the site plan.

### **Staff Review**

When reviewing an application, the following should be taken into consideration: (1) the precedent, (2) the Standards of Review, and (3) public input.

1. In the past 15 years, there have been over 100 variance requests for the height of an accessory structure. Only one 1 was denied.
2. The below Standards of Review for Variances should be taken into consideration for this request. The ZBA has the authority to add conditions of approval to the variance request or recommend denial of the request if the ZBA feels it does not meet the below Standards of Review.
3. Public input during the hearing has value and should be considered by staff and the ZBA when making a recommendation. Staff will provide a formal recommendation based on the outcome of the public hearing.

### **Standards of Review for Variances**

Per §93.167, Section (I), Items 1-4 of the Madison County Zoning Ordinance, the Zoning Board of Appeals shall ensure that the following conditions are met when considering a Variance request:

1. That there are special circumstances or conditions as fully described in the findings, applying to the land or buildings for which the variance is sought, which circumstances or conditions are peculiar to such land or building and do not apply generally to the land or buildings in the surrounding area, and that circumstances or conditions are such that strict application of this Zoning Code would deprive the applicant of a reasonable permitted use of the land or building; and,
2. That, for reasons fully set forth in the findings, the granting of the variance is necessary for the reasonable use of land or buildings, and that the variance is the minimum variance that will accomplish this purpose; and,
3. That the granting of this variance would be in harmony with the general purpose and intent of this Zoning Code, and will not be injurious to the surrounding area or otherwise detrimental to the character and use of adjoining buildings and those in the vicinity, the Board, in making its findings, shall take into account whether the condition of the subject premises is peculiar to the lot or tract described in the petition or is merely part of the general condition of the area.
4. No Variance shall be approved that constitutes a variation in use not permitted in the district.

**Aerial Photograph**



The subject property is outlined in purple. Please note property lines may be skewed to imagery.

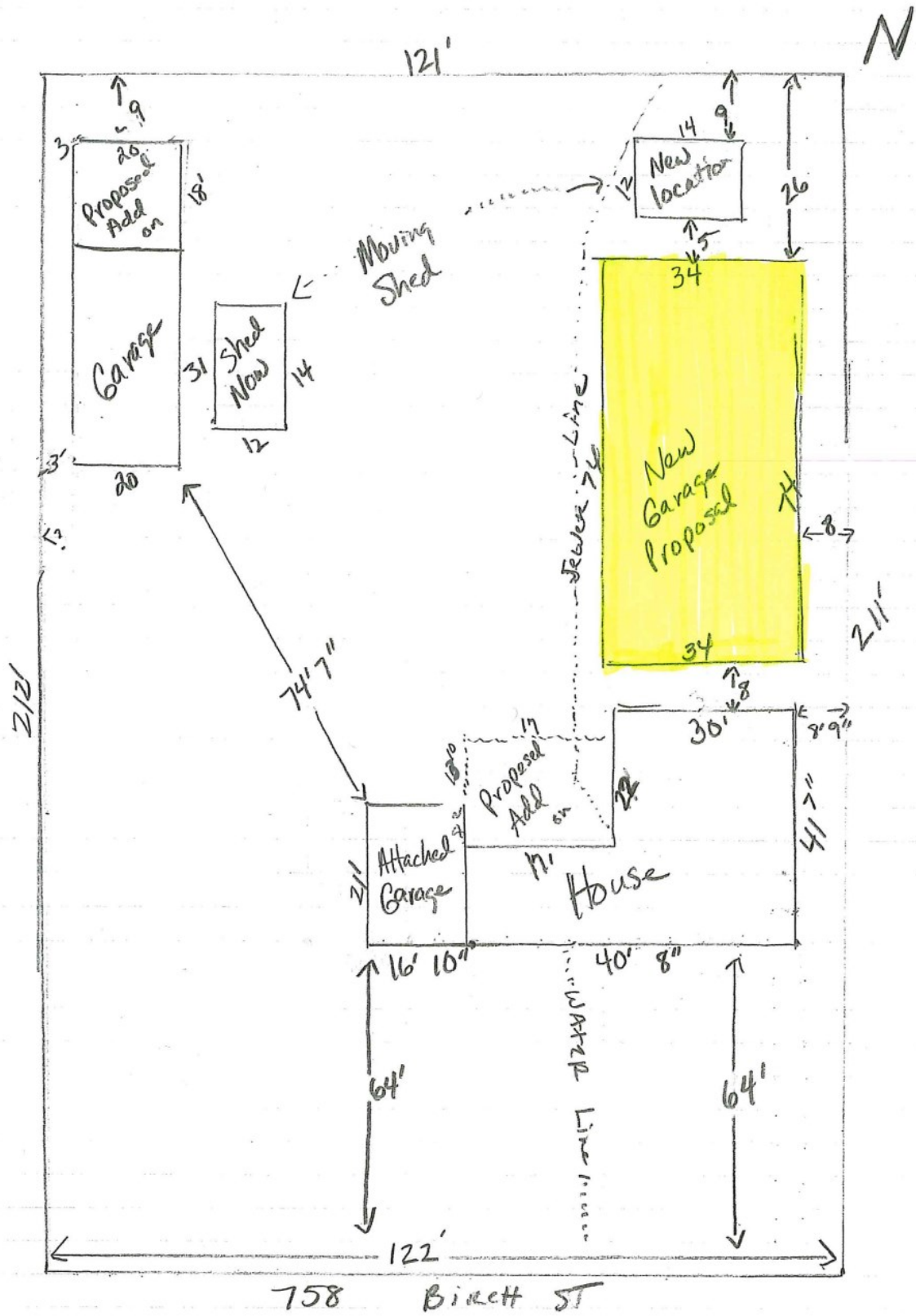


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## Site Photographs



Site Plan



**Narrative Statement**

4-27-22

I am requesting a variance to construct an accessory building for personal use only @ 25' tall instead of the allowable 20' feet.

Margaret Bennett  
758 Birch St  
East Alton IL 62024

[Agenda Top](#)

**Attachment "A" – Letters of Support from Neighbors**

I recently met Mr. And Mrs. Barnett and I have no problem with them going an extra 5 ft in height.

Marc Waters(Madison county taxpayer)  
759 East Rosedale

I will not be at the scheduled meeting. I **do not** oppose the request from the above owners of record to construct 25' tall out building.

Sincerely John Carter,  
749 E Rosedale Dr



**RESOLUTION – Z22-0040**

**WHEREAS**, on the 28<sup>th</sup> day of June 2022, a public hearing was held to consider the petition of Mike Riffel, owner of record with Michele Riffel, requesting a variance as per §93.023, Section B, Item 2 of the Madison County Zoning Ordinance in order to construct an attached garage addition that will be 25 feet from the east property line instead of the required 50 feet. This is located in an “A” Agricultural District in Saline Township at 12157 Cedar Hills Drive, Highland, Illinois, County Board District #1, PIN# 02-2-18-31-00-000-041; and,

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

**WHEREAS**, it was recommended in the aforesaid Report of Findings of the Madison County Zoning Board of Appeals that the petition of Mike Riffel be as follows: **Approved**; 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

s/ Dalton Gray  
Dalton Gray

\_\_\_\_\_  
Terry Eaker

s/ Ryan Kneedler  
Ryan Kneedler

\_\_\_\_\_  
Bill Meyer

s/ Nick Petrillo  
Nick Petrillo

s/ Robert Pollard  
Robert Pollard

s/ Bobby Ross  
Bobby Ross

s/ Victor Valentine  
Victor Valentine

**BUILDING & ZONING COMMITTEE  
JULY 7, 2022**

## **Finding of Fact and Recommendations**

### **Hearing Z22-0040**

Petition of Mike Riffel, owner of record with Michele Riffel, requesting a variance as per §93.023, Section B, Item 2 of the Madison County Zoning Ordinance in order to construct an attached garage addition that will be 25 feet from the east property line instead of the required 50 feet. This is located in an “A” Agricultural District in Saline Township at **12157 Cedar Hills Drive, Highland, Illinois**, County Board District #1, PIN# 02-2-18-31-00-000-041

**Members Present:** Thomas Ambrose, George Ellis, Mary Goode, Cedric Irby, Sharon Sherrill

**Members Absent:** Don Metzler, Nicholas Cohan

A **motion** was made by Cedric Irby and **seconded** by Sharon Sherrill that the petition of Mike Riffel be as follows: **Approved.**

**The Finding of Fact of the Board of Appeals:** **I.** The zoning file, staff report, 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.** Mike Riffel, applicant, said they have a small frontage, and there is an existing two-car attached garage, and they want to add another two-car attached garage. He stated the small frontage doesn’t allow for them to build the addition and stay within setback requirements; **VI.** Thomas Ambrose, ZBA member, asked how much land they have, to which Mr. Riffel stated that he thinks it’s about 1.25 acres, less than the 2 acre requirement; **VII.** Noelle Maxey, Zoning Coordinator, read aloud the following statement of support that was submitted for the record via email: “By signing this personal approval statement we, the undersigned neighbors, are in favor of Madison County approving a variance to reduce the side lot setbacks at 12157 Cedar Hills Dr., Highland, Illinois, down to 25 feet from 50 feet. We have seen the plans for the site addition, as attached to this statement. Steven & Linda Kessmann, 2679 Vulliet Rd.; Curtis & Charlotte Nungesser, 12143 Cedar Hills Dr.; Scott & Tracy Wellen, 2737 Vulliet Rd.; Terry & Pam Lambert, 2713 Vulliet Rd.; Kevin Connelly, 5 Glory Dr.”

Roll-call vote.

**Ayes to the motion:** Thomas Ambrose, Mary Goode, Cedric Irby, Sharon Sherrill

**Nays to the motion:** None

Whereupon the Chairman declared the motion duly adopted.

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Chairman, Madison County Zoning Board of Appeals

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Secretary, Zoning Administrator

## Zoning Board of Appeals Staff Report

**Application Number:** Z22-0040

**Meeting Date:** June 28, 2022

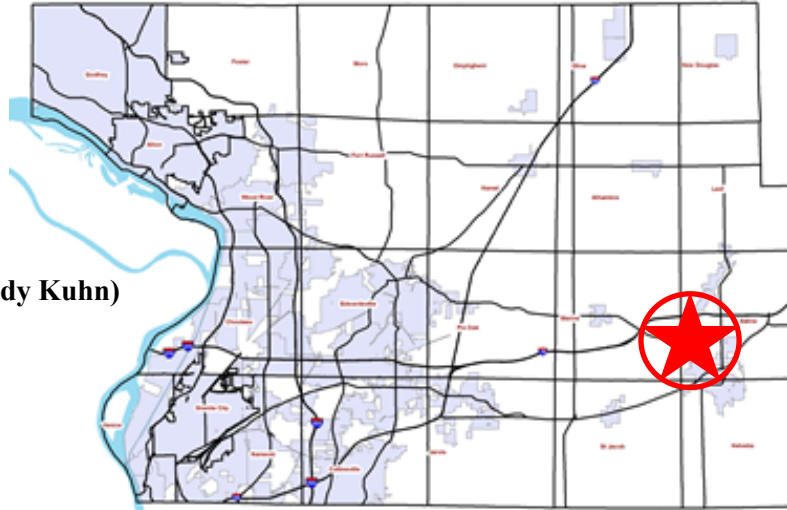
**From:** Noelle Maxey  
Zoning Coordinator

**Location:** 12157 Cedar Hills Drive  
Highland, Illinois  
County Board District #1 (Judy Kuhn)  
PIN: 02-2-18-31-00-000-041

**Zoning Request:** Variance

**Description:** Primary Structure Setback

**Attachments:** Attachment “A” – Letter of Support from All Adjacent Neighbors



### Proposal Summary

The applicant is Mike Riffel, owner of record with Michele Riffel. The subject property is zoned “A” Agricultural District and is located in Saline Township at 12157 Cedar Hills Drive, Highland, County Board District #1. The applicant is requesting a variance as per §93.023, Section B, Item 2 of the Madison County Zoning Ordinance in order to construct an attached garage addition to an existing single-family dwelling that would be 25 feet from the east property line instead of the required 50 feet. In order for the applicant to be issued a building permit to construct the garage addition, the subject variance must be reviewed and approved by the Zoning Board of Appeals (ZBA) as per §93.176, Section A, Item 1 of the Madison County Zoning Ordinance.

### Planning & Zoning Considerations

- *Land Use and Zoning of Surrounding Properties*

Direction	Land Use	Zoning
North	Single-Family Dwelling	“A” Agricultural
South	Single-Family Dwelling	“A” Agricultural
East	Single-Family Dwellings	“A” Agricultural/City of Highland
West	Single-Family Dwelling	“A” Agricultural

- *Zoning History* – There have been no other zoning requests made on the subject property, and there are no outstanding violations.
- *Variance for Primary Building Setback* – The applicants are requesting to construct an attached garage addition to an existing single-family dwelling that would be 25 feet from the east property line instead of the required 50 feet. See page 4 for site photos and page 5 for the site plan and building proposal. The applicant states in the narrative statement on page 6 that their lot is approximately one acre in size, where the minimum lot size is 2 acres in “A” Agricultural Districts, and only 162 feet wide, which would not allow them to build the addition and meet the 50 foot setback requirement. The applicant states the additional garage is to store 4 vehicles and yard equipment. See page 7 for a letter of support from all adjacent neighbors.

### **Staff Review**

When reviewing an application, the following should be taken into consideration: (1) the precedent, (2) the Standards of Review, and (3) public input.

1. In the past 15 years, there have been over 70 variance requests for the setback of a primary structure. Of those, 9 were denied, while the rest were approved.
2. The below Standards of Review for Variances should be taken into consideration for this request. The ZBA has the authority to add conditions of approval to the variance request or recommend denial of the request if the ZBA feels it does not meet the below Standards or Review.
3. Public input during the hearing has value and should be considered by staff and the ZBA when making a recommendation. Staff will provide a formal recommendation based on the outcome of the public hearing.

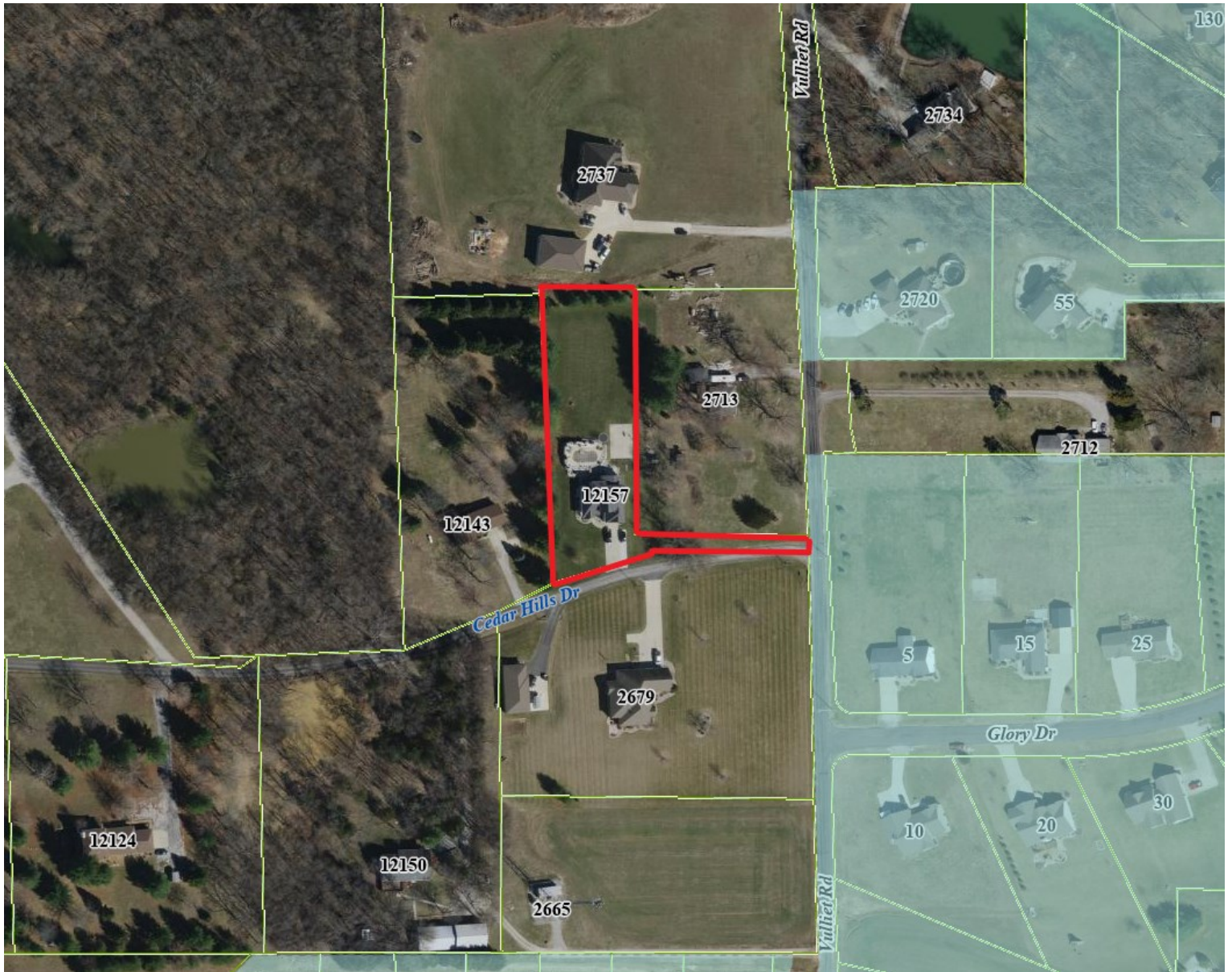
### **Standards of Review for Variances**

Per §93.167, Section (I), Items 1-4 of the Madison County Zoning Ordinance, the Zoning Board of Appeals shall ensure that the following conditions are met when considering a Variance request:

1. That there are special circumstances or conditions as fully described in the findings, applying to the land or buildings for which the variance is sought, which circumstances or conditions are peculiar to such land or building and do not apply generally to the land or buildings in the surrounding area, and that circumstances or conditions are such that strict application of this Zoning Code would deprive the applicant of a reasonable permitted use of the land or building; and,
2. That, for reasons fully set forth in the findings, the granting of the variance is necessary for the reasonable use of land or buildings, and that the variance is the minimum variance that will accomplish this purpose; and,
3. That the granting of this variance would be in harmony with the general purpose and intent of this Zoning Code, and will not be injurious to the surrounding area or otherwise detrimental to the character and use of adjoining buildings and those in the vicinity, the Board, in making its findings, shall take into account whether the condition of the subject premises is peculiar to the lot or tract described in the petition or is merely part of the general condition of the area.
4. No Variance shall be approved that constitutes a variation in use not permitted in the district.



**Aerial Photograph**



The subject property is outlined in red. Please note that property lines may be skewed to imagery.



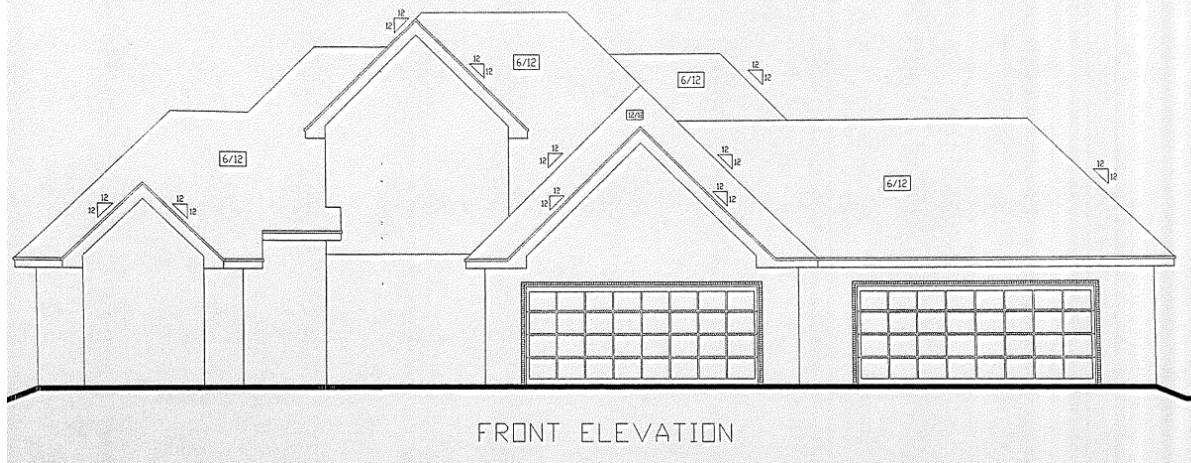
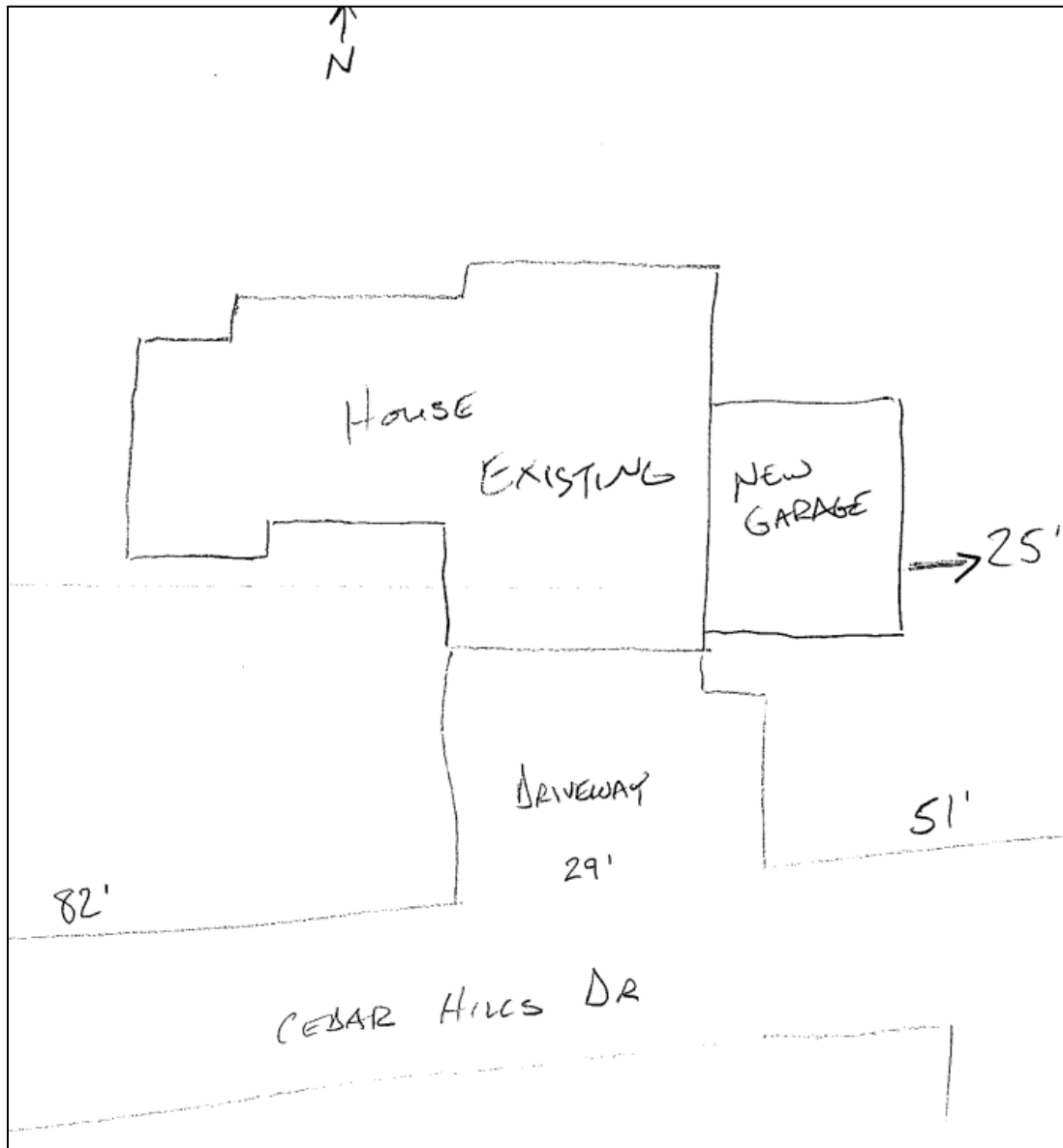
[Agenda Top](#)

## Site Photos



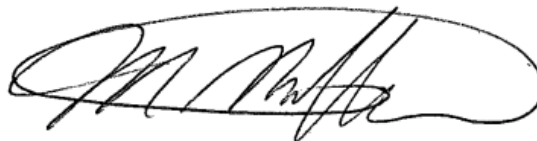


Site Plan



**Narrative Statement**

We, Michael & Michele Riffel, are looking to expand our garage space, to house four vehicles with extra space for yard equipment. We have an irregular shaped one+ acre lot. We are on an "Agricultural" zoned lot. The minimum size for this zoning classification is two acres. The two acre side lot setback is 50 feet. Having a one acre lot which is only 162 feet wide presents us with a hardship which does not allow us to add on to our garage and stay within the current setback limits. Thus, we are requesting a variance to move our <sup>EAST</sup>side lot setbacks to 25 feet. This addition should not negatively impact any property values of our adjoining properties. It does not appear to have a negative impact on the County Comprehensive Plan. The addition would likely raise our property value thus resulting in an increase in property tax for HUSD#5 and the County.

A handwritten signature in black ink, appearing to read "Michael Riffel", enclosed within a large, loopy oval shape.

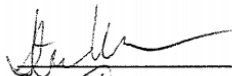


**Attachment "A" – Letter of Support from All Adjacent Neighbors**

Approval Statement

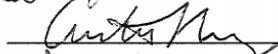
By signing this personal approval statement we, the undersigned neighbors, are in favor of Madison County approving a variance to reduce the side lot setbacks at 12157 Cedar Hills Dr, Highland, Illinois, down to 25 feet from 50 feet. We have seen the plans for the site addition, as attached to this statement.

Steven & Linda Kessmann, 2679 Vulliet Rd.



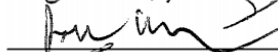
5-1-2022

Curtis & Charlotte Nungesser, 12143 Cedar Hills Dr.



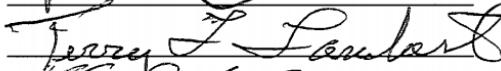
6/14/22

Scott & Tracy Wellen, 2737 Vulliet Rd.



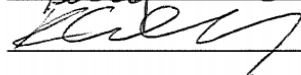
5/1/2022

Terry & Pam Lambert, 2713 Vulliet Rd.



6/2/22

Kevin Connelly, 5 Glory Dr.



5-1-22

**RESOLUTION – Z22-0042**

**WHEREAS**, on the 28<sup>th</sup> day of June 2022, a public hearing was held to consider the petition of Jill Bertels, applicant on behalf of Bertels Land Incorporated, owner of record, requesting a zoning map amendment in order to rezone approximately 0.5 acres of a dual-zoned lot from “A” Agricultural District to “R-3” Single-Family Residential District. This is located in Moro Township at 4568 Seiler Road, Dorsey, Illinois, County Board District #5, PIN# 16-2-03-17-00-000-025; and,

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

**WHEREAS**, it was recommended in the aforesaid Report of Findings of the Madison County Zoning Board of Appeals that the petition of Jill Bertels and Bertels Land Incorporated be as follows: **Approved**; 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

s/ Dalton Gray  
Dalton Gray

\_\_\_\_\_  
Terry Eaker

s/ Ryan Kneedler  
Ryan Kneedler

\_\_\_\_\_  
Bill Meyer

s/ Nick Petrillo  
Nick Petrillo

s/ Robert Pollard  
Robert Pollard

s/ Bobby Ross  
Bobby Ross

s/ Victor Valentine  
Victor Valentine

**BUILDING & ZONING COMMITTEE  
JULY 7, 2022**

## **Finding of Fact and Recommendations**

### **Hearing Z22-0042**

Petition of Jill Bertels, applicant on behalf of Bertels Land Incorporated, owner of record, requesting a zoning map amendment to rezone approximately 0.5 acres of a dual-zoned lot from “A” Agricultural District to “R-3” Single-Family Residential District. This is located in Moro Township at **4568 Seiler Road, Dorsey, Illinois, County Board District #5, PIN# 16-2-03-17-00-000-025**

**Members Present:** Thomas Ambrose, George Ellis, Mary Goode, Cedric Irby, Sharon Sherrill

**Members Absent:** Don Metzler, Nicholas Cohan

A **motion** was made by Mary Goode and **seconded** by Cedric Irby that the petition of Jill Bertels and Bertels Land Incorporated be as follows: **Approved**

**The Finding of Fact of the Board of Appeals:** **I.** The zoning file, staff report, 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.** Jill Bertels, applicant, stated they have a person who wants to buy this lot and build a home, probably later rather than sooner, and it had been suggested to have the whole property the same zoning district so not to have issues when building the home; **VI.** Sharon Sherrill, ZBA member, noted the number of buildings on the property and the location of one of the buildings in relation to the property line. Noelle Maxey, Zoning Coordinator, stated the building and property line are already existing. Ms. Bertels stated the property line to the north of the building was already existing, and the only new line was on the south side. Ms. Bertels also noted that the buyer intends to take down some of the buildings when they decide to build the new home; **VII.** Karen Hickerson, adjacent property owner, asked Ms. Bertels to clarify exactly where the half acre is that is being proposed to be rezoned. Ms. Bertels explained that the southern approximately half acre of the lot is zoned “A” Agricultural, and they want to rezone that part so the whole property will be zoned Residential. Mrs. Hickerson asked who was buying it and planning to build a house, and Ms. Bertels replied that Pat’s (adjacent neighbor) daughter and husband are going to buy it; **VIII.** David Hickerson, adjacent neighbor, asked where the house is going to be on the property, to which Ms. Bertels replied that she didn’t know. She also said she wasn’t sure when the buyers would even be building the home because they live in Bethalto and have kids in the school district, so she think the intent is to not build the home for a while. Mr. Hickerson stated he does not believe the markers in their yard when Ms. Bertels had a survey done are accurate. Ms. Bertels replied that she had CMT survey the property, and the markers on the survey are what they had found.

Roll-call vote.

**Ayes to the motion:** Thomas Ambrose, Mary Goode, Cedric Irby, Sharon Sherrill

**Nays to the motion:** None

Whereupon the Chairman declared the motion duly adopted.

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Chairman, Madison County Zoning Board of Appeals

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Secretary, Zoning Administrator

## Zoning Board of Appeals Staff Report

**Application Number:** Z22-0042

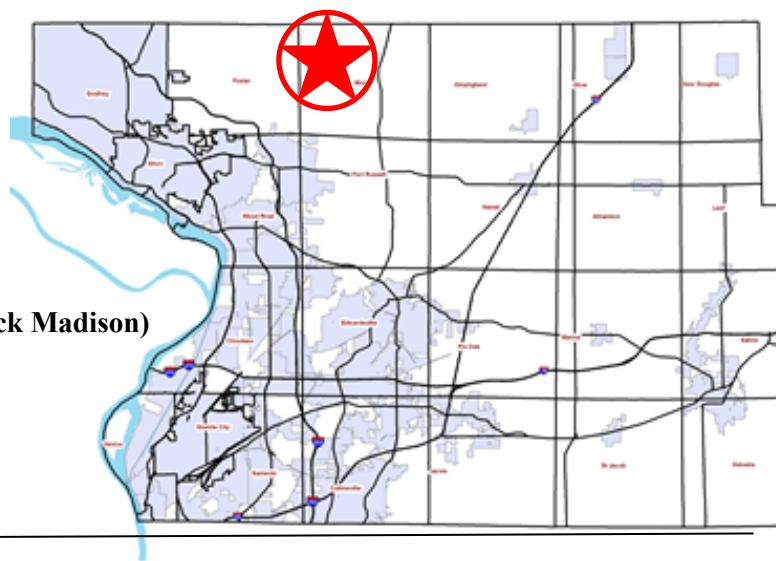
**Meeting Date:** June 28, 2022

**From:** Noelle Maxey  
Zoning Coordinator

**Location:** 4568 Seiler Road  
Dorsey, Illinois  
County Board District #5 (Mick Madison)  
PIN: 16-2-03-17-00-000-025

**Zoning Request:** Zoning Map Amendment

**Description:** Rezoning from “A” to “R-3”



### Proposal Summary

The applicant is Jill Bertels, on behalf of Bertels Land Incorporated, owner of record. The subject property is located in Moro Township at 4568 Seiler Road, Dorsey, County Board District #5. The applicant is requesting a zoning map amendment to rezone approximately 0.5 acres of a dual-zoned lot from “A” Agricultural District to “R-3” Single-Family Residential District. The zoning map amendment must be reviewed and approved by the Zoning Board of Appeals (ZBA) as per §93.176, Section A, Item 3 of the Madison County Zoning Ordinance.

### Planning & Zoning Considerations

- *Land Use and Zoning of Surrounding Properties*

Direction	Land Use	Zoning
North	Single-Family Dwellings	“R-3” Single-Family Residential
South	Row Crops	“A” Agricultural
East	Row Crops	“A” Agricultural/”R-3” Single-Family Residential
West	Single-Family Dwelling/Row Crops	“A” Agricultural/”R-3” Single-Family Residential

- *Zoning History* – There have been no other zoning requests on the property in the past, and there are no outstanding violations on the property.
- *Rezoning from “A” to “R-3”* – The applicant is requesting a zoning map amendment to rezone approximately 0.5 acres of a dual-zoned 2 acre property from “A” Agricultural District to “R-3” Single-Family Residential District. This parcel was newly created through a minor subdivision, and the buyer intends to build a new single-family dwelling on the property. The new home would be located right around the dividing line between the “A” District and the “R-3” District, so the owner is requesting to fix the dual-zoning to avoid zoning issues when building the home. See page 3 for the aerial photo and zoning map, page 4 for site photos, and page 5 for the site plan of the property.



### **Staff Review**

When reviewing an application, the following should be taken into consideration: (1) the precedent, (2) the Standards of Review, and (3) public input.

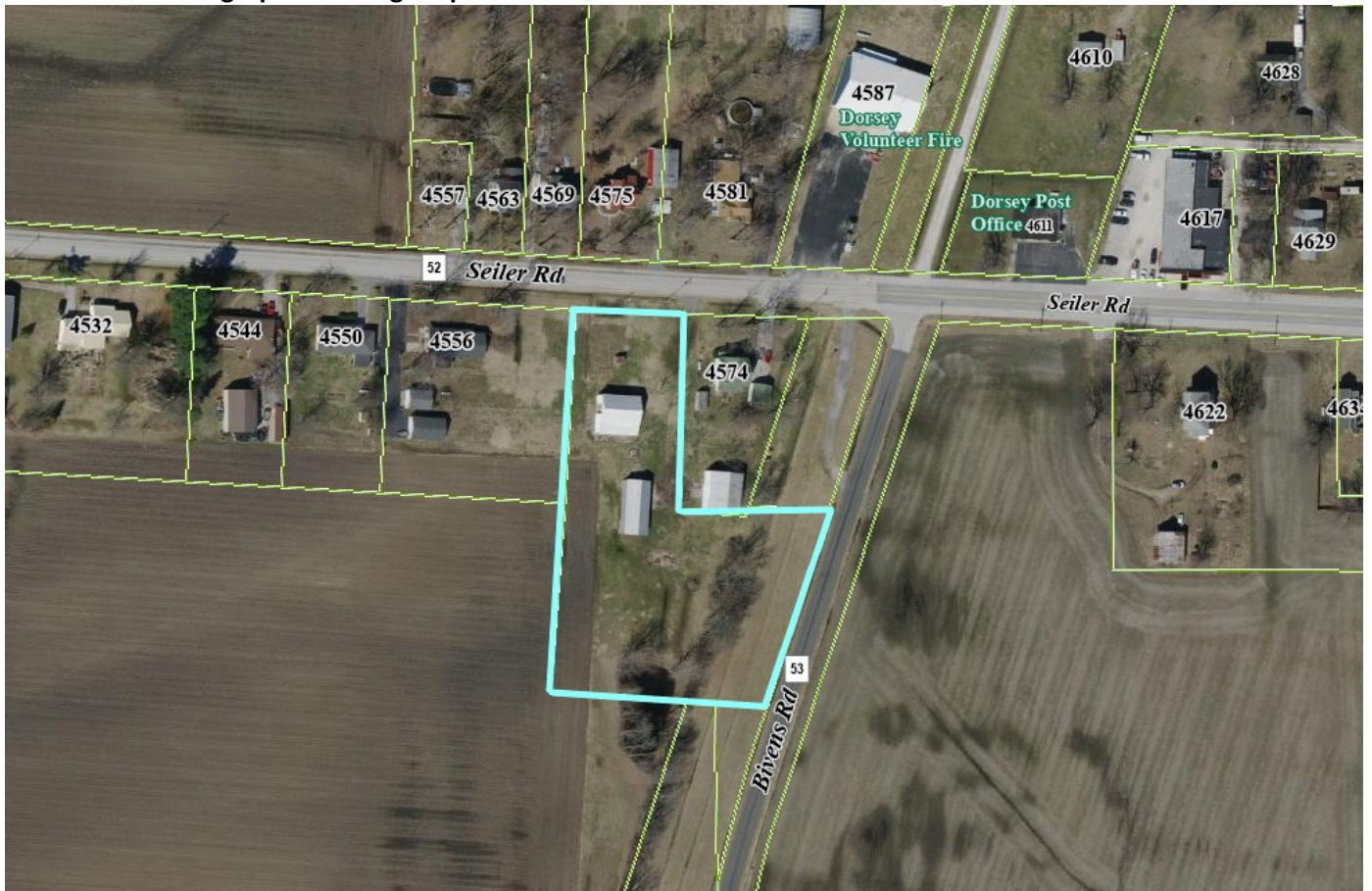
1. In the past 15 years, there have been over 100 requests for zoning map amendments, most of which have been approved.
2. The below Standards of Review for Zoning Amendments should be taken into consideration for this request. The ZBA has the authority to recommend denial of the request if the ZBA feels it does not meet the below Standards of Review.
3. Public input during the hearing has value and should be considered by staff and the ZBA when making a recommendation. Staff will provide a formal recommendation based on the outcome of the public hearing.

### **Standard of Review for Zoning Amendments**

Per §93.178, Section (F), Items 1-7 of the Madison County Zoning Ordinance, the Zoning Board of Appeals shall consider the following items when reviewing a Zoning Map Amendment:

1. The effect the proposal would have on the county comprehensive plan;
2. The effect the development would have on schools, traffic, streets, shopping, public utilities, and adjacent properties;
3. Is the application necessary for the public convenience at that location;
4. In the case of an existing nonconforming use, will a special use permit/map amendment make the use more compatible with its surroundings;
5. Is the application so designed, located, and proposed to be operated that the public health, safety, and welfare will be protected;
6. Will the application cause injury to the value or other property in the neighborhood in which it is located; and,
7. Will the special use/map amendment be detrimental to the essential character of the district in which it is located?

**Aerial Photograph & Zoning Map**



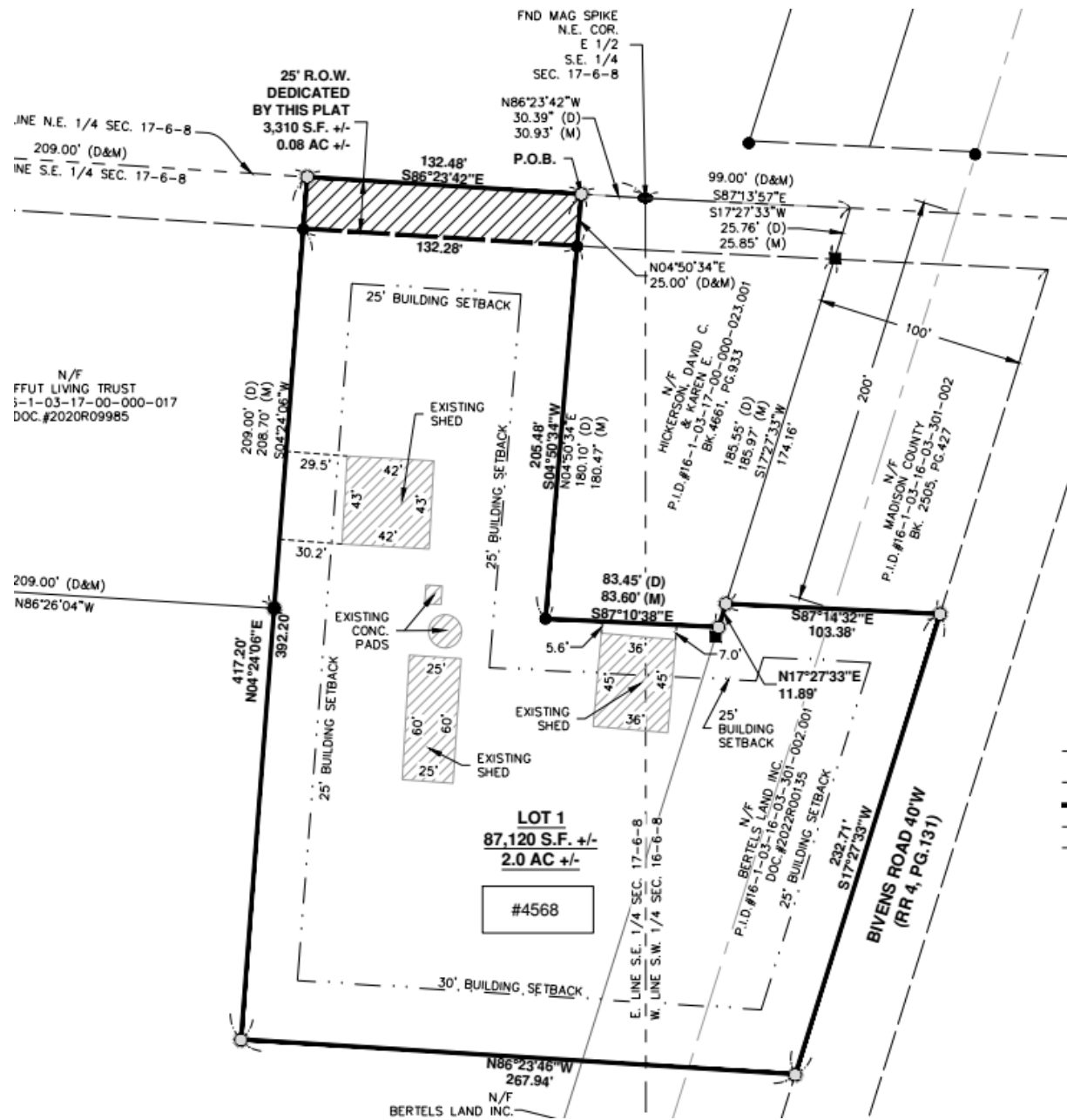




**Site Photographs**







**Narrative Statement**

We would <sup>like</sup> the property ~~wanted~~ to be completely residential for future use as a home site.

Jill Butts  
Butts Land Inc

**RESOLUTION – Z22-0044**

**WHEREAS**, on the 28<sup>th</sup> day of June 2022, a public hearing was held to consider the petition of Billy Marquez, owner of record, requesting Special Use Permits as per §93.025, Section G, Items 4 and 6 of the Madison County Zoning Ordinance in order to have a Type “B” Home Occupation and private parking lot to operate a cleaning company from the home on site. Also requesting a variance as per §93.083, Section C, Item 2 in order to have 6 non-resident employees instead of the 1 allowed with the Type “B” Home Occupation. This is located in an “R-4” Single-Family Residential District in Nameoki Township at 3122 Harvard Place, Collinsville, Illinois, County Board District #16, PIN# 17-2-20-36-03-309-003; and,

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

**WHEREAS**, it was recommended in the aforesaid Report of Findings of the Madison County Zoning Board of Appeals that the petition of Billy Marquez be **Approved with Conditions** as follows:

1. These Special Use Permits are granted for the sole usage of Billy Marquez. Any change of ownership/tenant will require new Special Use Permits.
2. The Type “B” Home Occupation must meet the requirements listed in §93.083 HOME OCCUPATIONS of the Madison County Zoning Ordinance, except the applicant is permitted to have a maximum of 6 non-resident employees instead of the 1 allowed.
3. The owner shall keep the property in compliance with all Madison County Ordinances, including but not limited to the Madison County Zoning Ordinance.
4. Failure to comply with the conditions of the Special Use Permits will cause revocation and immediate removal of the uses will be required.

**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

\_\_\_\_\_  
s/ Dalton Gray  
Dalton Gray

\_\_\_\_\_  
Terry Eaker

\_\_\_\_\_  
s/ Ryan Kneeder  
Ryan Kneeder

\_\_\_\_\_  
Bill Meyer

\_\_\_\_\_  
s/ Nick Petrillo  
Nick Petrillo

\_\_\_\_\_  
s/ Robert Pollard  
Robert Pollard

\_\_\_\_\_  
s/ Bobby Ross  
Bobby Ross

\_\_\_\_\_  
s/ Victor Valentine  
Victor Valentine

**BUILDING & ZONING COMMITTEE  
JULY 7, 2022**

## **Finding of Fact and Recommendations**

### **Hearing Z22-0044**

Petition of Billy Marquez, owner of record, requesting Special Use Permits as per §93.025, Section G, Items 4 and 6 of the Madison County Zoning Ordinance in order to have a private parking lot and a Type “B” Home Occupation to operate a cleaning company from the home on site. Also requesting a variance as per §93.083, Section C, Item 2 in order to have 6 employees instead of the 1 allowed with the Type “B” Home Occupation. This is located in an “R-4” Single-Family Residential District in Nameoki Township at **3122 Harvard Place, Collinsville, Illinois, County Board District #16, PIN# 17-2-20-36-03-309-003**

**Members Present:** Thomas Ambrose, George Ellis, Mary Goode, Cedric Irby, Sharon Sherrill

**Members Absent:** Don Metzler, Nicholas Cohan

A **motion** was made by Mary Goode and **seconded** by Cedric Irby that the petition of Billy Marquez be **Approved with Conditions** as follows:

1. These Special Use Permits are granted for the sole usage of Billy Marquez. Any change of ownership/tenant will require new Special Use Permits.
2. The Type “B” Home Occupation must meet the requirements listed in §93.083 HOME OCCUPATIONS of the Madison County Zoning Ordinance, except the applicant is permitted to have a maximum of 6 non-resident employees instead of the 1 allowed.
3. The owner shall keep the property in compliance with all Madison County Ordinances, including but not limited to the Madison County Zoning Ordinance.
4. Failure to comply with the conditions of the Special Use Permits will cause revocation and immediate removal of the uses will be required.

**The Finding of Fact of the Board of Appeals:** **I.** The zoning file, staff report, 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.** There were no speakers for this hearing.

Roll-call vote.

**Ayes to the motion:** Thomas Ambrose, Mary Goode, Sharon Sherrill

**Nays to the motion:** Cedric Irby

Whereupon the Chairman declared the motion duly adopted.

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Chairman, Madison County Zoning Board of Appeals

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Secretary, Zoning Administrator



## Zoning Board of Appeals Staff Report

**Application Number:** Z22-0044

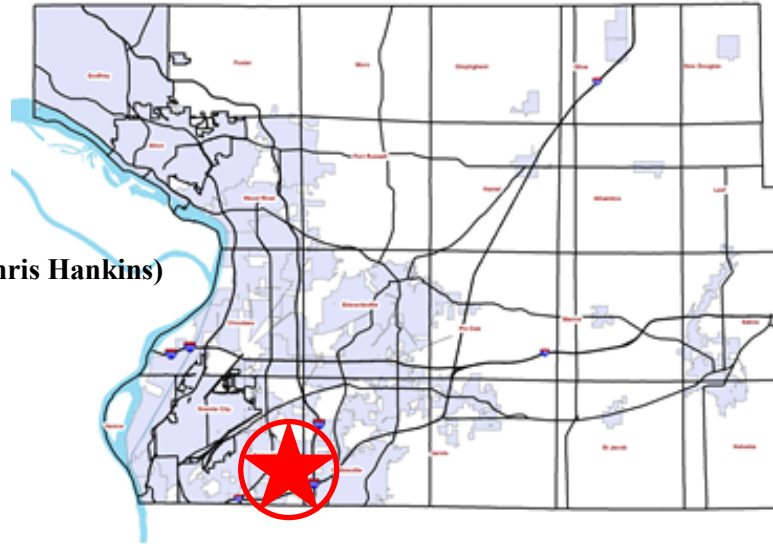
**Meeting Date:** June 28, 2022

**From:** Noelle Maxey  
Zoning Coordinator

**Location:** 3122 Harvard Place  
Collinsville, Illinois  
County Board District #16 (Chris Hankins)  
PIN: 17-2-20-36-03-309-003

**Zoning Request:** Special Use Permits, Variance

**Description:** Type “B” Home Occupation  
Private Parking Lot  
Number of Employees



### Proposal Summary

The applicant is Billy Marquez, owner of record. The applicant is requesting Special Use Permits (SUP) as per §93.025, Section G, Items 4 and 6 of the Madison County Zoning Ordinance in order to have a private parking lot and a Type “B” Home Occupation to operate a cleaning company from the home on site. He is also requesting a variance as per §93.083, Section C, Item 2 in order to have 6 employees instead of the 1 allowed with a Type “B” Home Occupation. The subject property is zoned “R-4” Single-Family Residential District and is located in Nameoki Township at 3122 Harvard Place, Collinsville, County Board District #16. In order for this request to be permitted, the ZBA must review and approve the application as per §93.176, Section A, Item 2 of the Madison County Zoning Ordinance.

### Planning & Zoning Considerations

- *Land Use and Zoning of Surrounding Properties*

Direction	Land Use	Zoning
North	Single-Family Dwelling	“R-4” Single-Family Residential
South	Single-Family Dwelling	“R-4” Single-Family Residential
East	Single-Family Dwellings/Vacant	“R-4” Single-Family Residential
West	Single-Family Dwellings	“R-4” Single-Family Residential

- *Zoning History* – There have been no other zoning requests on the property in the past. The property is currently under violation for running a business from the home and commercial vehicles on the property. Approval of these requests would resolve the violations.
- *SUPs for Type “B” Home Occupation & Private Parking Lot; Variance for Number of Employees* – The applicant is requesting Special Use Permits in order to have a Type “B” Home Occupation and private parking lot on site. The applicant is currently under violation for operating a cleaning company from the home without a Home Occupation and for having commercial vehicles on the property. The applicant also has 6 employees who come to the property to park their personal vehicles and pickup company vehicles. Type “B” Home Occupations are required when any non-resident employees come to the property with the Home Occupation. Type “B” Home Occupations

also only allow 1 non-resident employee, so the applicant is requesting a variance to have 6 employees. See page 4 for the site plan and page 5 for site photos.

### **Staff Review**

When reviewing an application, the following should be taken into consideration; (1) precedent, (2) standards of review and (3) public input.

1. In the last 15 years, there have been 11 requests for Type “B” Home Occupations. All were approved. There have been no other requests for a private parking lot, and no variances to have more than 1 employee with a Type “B” Home Occupation.
2. The below Standards of Review for Special Use Permits should be taken into consideration for this request. If the ZBA feels the request does not meet the below Standards of Review, the ZBA has the authority to place additional conditions of approval to the SUP or recommend denial of the request.
3. Public input during the hearing has value and should be considered by staff and the ZBA when making a recommendation. Staff will provide a formal recommendation based on the outcome of the public hearing.

### **Conditions of Approval**

1. These Special Use Permits are granted for the sole usage of Billy Marquez. Any change of ownership/tenant will require new Special Use Permits.
2. The Type “B” Home Occupation must meet the requirements listed in §93.083 HOME OCCUPATIONS of the Madison County Zoning Ordinance, except the applicant is permitted to have a maximum of 6 non-resident employees instead of the 1 allowed.
3. The owner shall keep the property in compliance with all Madison County Ordinances, including but not limited to the Madison County Zoning Ordinance.
4. Failure to comply with the conditions of the Special Use Permits will cause revocation and immediate removal of the uses will be required.

### **Standard of Review for Special Use Permits**

As per §93.178, Section (F), Items (1-7), below are the seven (7) consideration items listed in the Zoning Ordinance that the Zoning Board of Appeals shall take into account while reviewing a SUP request.

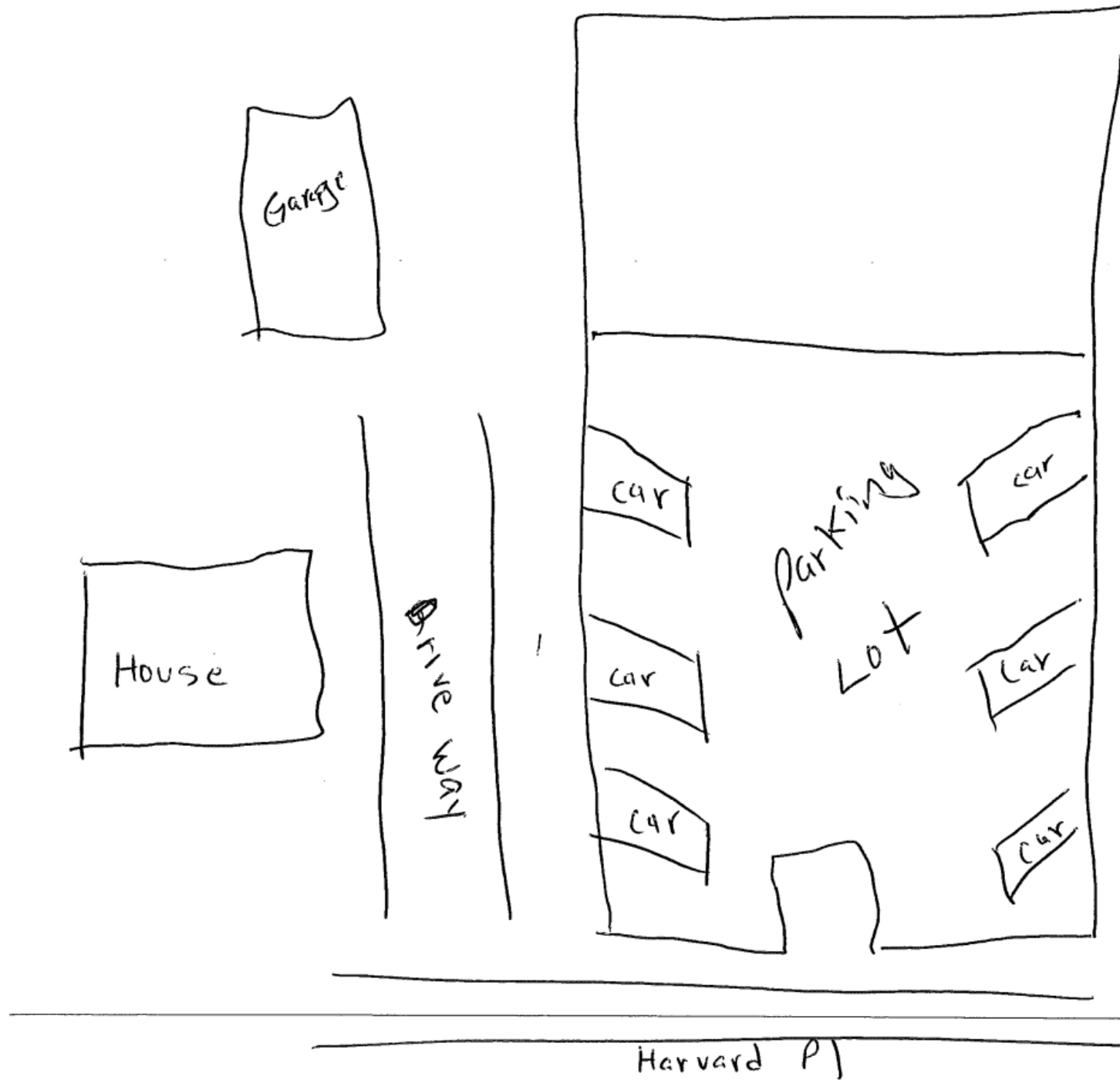
1. The effect the proposal would have on the county comprehensive plan;
2. The effect the development would have on schools, traffic, streets, shopping, public utilities, and adjacent properties;
3. Whether the application is necessary for the public convenience at that location;
4. In the case of an existing nonconforming use, whether a special use permit would make the use more compatible with its surroundings;
5. Whether the application is designed, located, and proposed to be operated in a manner that protects the public health, safety, and welfare;
6. Whether the application will cause injury to the value of other property in the neighborhood in which it is located; and,
7. Whether the special use would be detrimental to the essential character of the district in which it is located.

## Aerial Photograph



The subject property is outlined in blue. Please note property lines may be skewed to imagery.

Site Plan





[Agenda Top](#)

## Site Photographs



[Agenda Top](#)

## **Narrative Statement**

Narrative Statement

Belica's Cleaning

We have a cleaning company and 4 vehicles for the business. 6 employees park on the property and take a company vehicle to the job sites. We are requesting a Special Use Permits to have this cleaning company on the property with the home and a private parking lot for employees.

**RESOLUTION – Z22-0046**

**WHEREAS**, on the 28<sup>th</sup> day of June 2022, a public hearing was held to consider the petition of Joshua Kirbach, applicant on behalf of Weber Living Trust, owner of record, requesting a zoning map amendment to rezone a 2.88 acre tract of land from “B-3” Highway Business District to “PD” Planned Development District. This is located in Edwardsville Township at 5446 Chain of Rocks Road, Edwardsville, Illinois, County Board District #26, PIN# 14-1-15-32-00-000-004; and,

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

**WHEREAS**, it was recommended in the aforesaid Report of Findings of the Madison County Zoning Board of Appeals that the petition of Joshua Kirbach and Weber Living Trust be **Approved with Attachment “A”**; 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

s/ Dalton Gray  
Dalton Gray

\_\_\_\_\_  
Terry Eaker

s/ Ryan Kneedler  
Ryan Kneedler

\_\_\_\_\_  
Bill Meyer

s/ Nick Petrillo  
Nick Petrillo

s/ Robert Pollard  
Robert Pollard

s/ Bobby Ross  
Bobby Ross

s/ Victor Valentine  
Victor Valentine

**BUILDING & ZONING COMMITTEE  
JULY 7, 2022**

**Attachment “A” – “PD” District Conditions of Use**

**(A)** The applicant will be required to adhere to all district conditions and use requirements below. Should the applicant submit plans with substantive differences than the proposed use and accompanying site plan, the applicant will be required to return to the Building & Zoning Committee for review, upon a recommendation from the Zoning Board of Appeals.

**(B) District Conditions of Use.**

- a. Yard areas. No building or structure shall be erected or enlarged unless the following yards are provided and maintained:
  - i. Front Yard Setback: 50 feet
  - ii. Side Yard Setback: 15 feet
  - iii. Rear Yard Setback: 50 feet
- b. Additional Requirements: Signs §93.118, Parking §93.147, Fencing §93.080.

**(C) Permitted Uses**

- a. Any production, process, cleaning, servicing, testing, repair, or storage of materials, goods, or products that can be operated without creating unreasonable noise, odor, dust, smoke, gas, fumes, or vapor
- b. Warehouses and Storage
- c. Any permitted use in the “B-2” General Business District

**(D) Accessory Uses (See § 93.051 (B))**

- a. Accessory uses that are clearly associated with and supplementary to the principal uses of the lot or tract of land
- b. Off-street parking and loading
- c. Outdoor storage of materials and equipment, provided they are kept in a neat and orderly condition, and not permitted to create a health hazard and eye-sore to the general area

**(E) Prohibited uses.**

- a. Any uses not listed in the above Permitted and Accessory Uses sections.



## **Finding of Fact and Recommendations**

### **Hearing Z22-0046**

Petition of Joshua Kirbach, applicant on behalf of Weber Living Trust, owner of record, requesting a zoning map amendment to rezone a 2.88 acre tract of land from “B-3” Highway Business District to “PD” Planned Development District. This is located in Edwardsville Township at **5446 Chain of Rocks Road, Edwardsville, Illinois**, County Board District #26, PIN# 14-1-15-32-00-000-004

**Members Present:** Thomas Ambrose, George Ellis, Mary Goode, Cedric Irby, Sharon Sherrill

**Members Absent:** Don Metzler, Nicholas Cohan

A **motion** was made by Sharon Sherrill and **seconded** by Mary Goode that the petition of Joshua Kirbach and Weber Living Trust be **Approved with Attachment “A”**.

**The Finding of Fact of the Board of Appeals:** **I.** The zoning file, staff report, 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.** Joshua Kirbach, applicant, stated he is requesting use the building to store, sort, sift, and separate automotive parts that they collect from dealerships and repair shops. He said then they will decide if the parts should go to a remanufacturer or a scrap facility. Mr. Kirbach said that all storage would be inside the building except a couple luggers outside for some bulk materials. He said there would be no dismantling of vehicles on the property, and this is just a straightforward warehouse; **VI.** George Ellis, Chairman Pro Tem, asked if everything would be indoors, and Mr. Kirbach said there would be a couple dumpsters outside for bulk materials, but they will be behind the building so not visible from the highway. He said the majority will be indoors except the bulk material. Mr. Ellis asked if the property is fenced, to which Mr. Kirbach replied it is not, but there is a gate and fence along the driveway.

Roll-call vote.

**Ayes to the motion:** Thomas Ambrose, Mary Goode, Cedric Irby, Sharon Sherrill

**Nays to the motion:** None

Whereupon the Chairman declared the motion duly adopted.

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Chairman, Madison County Zoning Board of Appeals

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Secretary, Zoning Administrator

## Zoning Board of Appeals Staff Report

**Application Number:** Z22-0046

**Meeting Date:** June 28, 2022

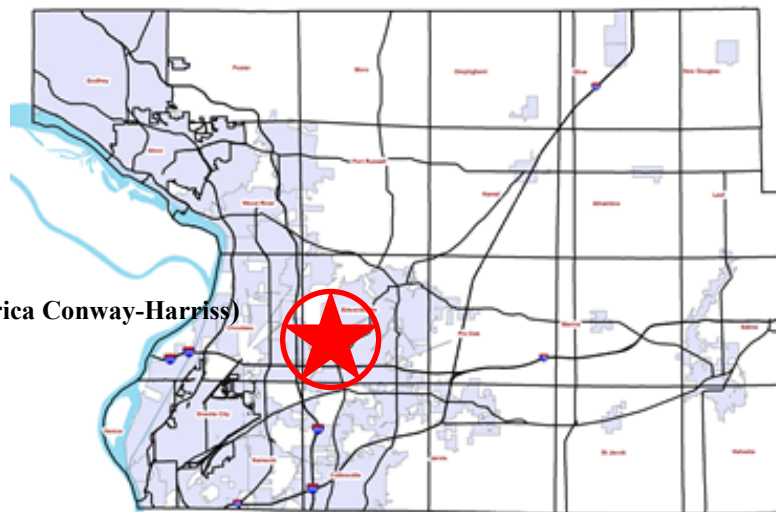
**From:** Noelle Maxey  
Zoning Coordinator

**Location:** 5446 Chain of Rocks Road  
Edwardsville, Illinois  
County Board District #26 (Erica Conway-Harriss)  
PIN: 14-1-15-32-00-000-004

**Zoning Request:** Zoning Map Amendment

**Description:** Rezoning from “B-3” to “PD”

**Attachments:** Attachment “A” – “PD” Conditions of Use



### Proposal Summary

The applicant is Joshua Kirbach, on behalf of Weber Living Trust, owner of record. The subject property is located in Edwardsville Township at 5446 Chain of Rocks Road, Edwardsville, County Board District #26. The applicant is requesting a zoning map amendment to rezone the 2.88 acre property from “B-3” Highway Business District to “PD” Planned Development District in order to sort and store materials before being taken off-site to be scrapped or recycled. The zoning map amendment request must be reviewed and approved by the Zoning Board of Appeals (ZBA) as per §93.176, Section A, Item 3 of the Madison County Zoning Ordinance.

### Planning & Zoning Considerations

- *Land Use and Zoning of Surrounding Properties*

Direction	Land Use	Zoning
North	Drainage Area/Parking Lot	Village of Glen Carbon
South	Row Crops	Village of Glen Carbon
East	Cemetery	“A” Agricultural
West	Row Crops	Village of Glen Carbon

- *Zoning History* – In 2020, the property was rezoned from “B-2” General Business District to “B-3” Highway Business District. There are no outstanding violations on the property.
- *Rezoning from “B-3” to “PD”* – The applicant is requesting to rezone the 2.88 acre tract of land from “B-3” Highway Business District to “PD” Planned Development District in order to sort and store materials on the property before being taken off-site to be scrapped or recycled. The storage of such materials is permitted in Manufacturing Districts, rather than Business Districts, and since there are no Manufacturing Districts in the area, staff chose to proceed with a “PD” Planned Development District to limit impacts on surrounding properties. See page 3 for the aerial photo and zoning map, page 4 for site photos, and page 5 for the site plan of the property. The proposed District Conditions of Use for this “PD” District can be found on page 8.

- *Existing and Future Structures* – There is an existing building on the property that will be used to sort through and store the materials brought on site. The applicant is not proposing any new structures at this time.

### **Staff Review**

When reviewing an application, the following should be taken into consideration: (1) the precedent, (2) the Standards of Review, and (3) public input.

1. In the past 15 years, there have been over 100 requests for zoning map amendments, most of which have been approved. None have been for this type of use.
2. The below Standards of Review for Zoning Amendments should be taken into consideration for this request. The ZBA has the authority to recommend denial of the request if the ZBA feels it does not meet the below Standards of Review.
3. Public input during the hearing has value and should be considered by staff and the ZBA when making a recommendation. Staff will provide a formal recommendation based on the outcome of the public hearing.

### **Standard of Review for Zoning Amendments**

Per §93.178, Section (F), Items 1-7 of the Madison County Zoning Ordinance, the Zoning Board of Appeals shall consider the following items when reviewing a Zoning Map Amendment:

1. The effect the proposal would have on the county comprehensive plan;
2. The effect the development would have on schools, traffic, streets, shopping, public utilities, and adjacent properties;
3. Is the application necessary for the public convenience at that location;
4. In the case of an existing nonconforming use, will a special use permit/map amendment make the use more compatible with its surroundings;
5. Is the application so designed, located, and proposed to be operated that the public health, safety, and welfare will be protected;
6. Will the application cause injury to the value or other property in the neighborhood in which it is located; and,
7. Will the special use/map amendment be detrimental to the essential character of the district in which it is located?



### Aerial Photograph & Zoning Map

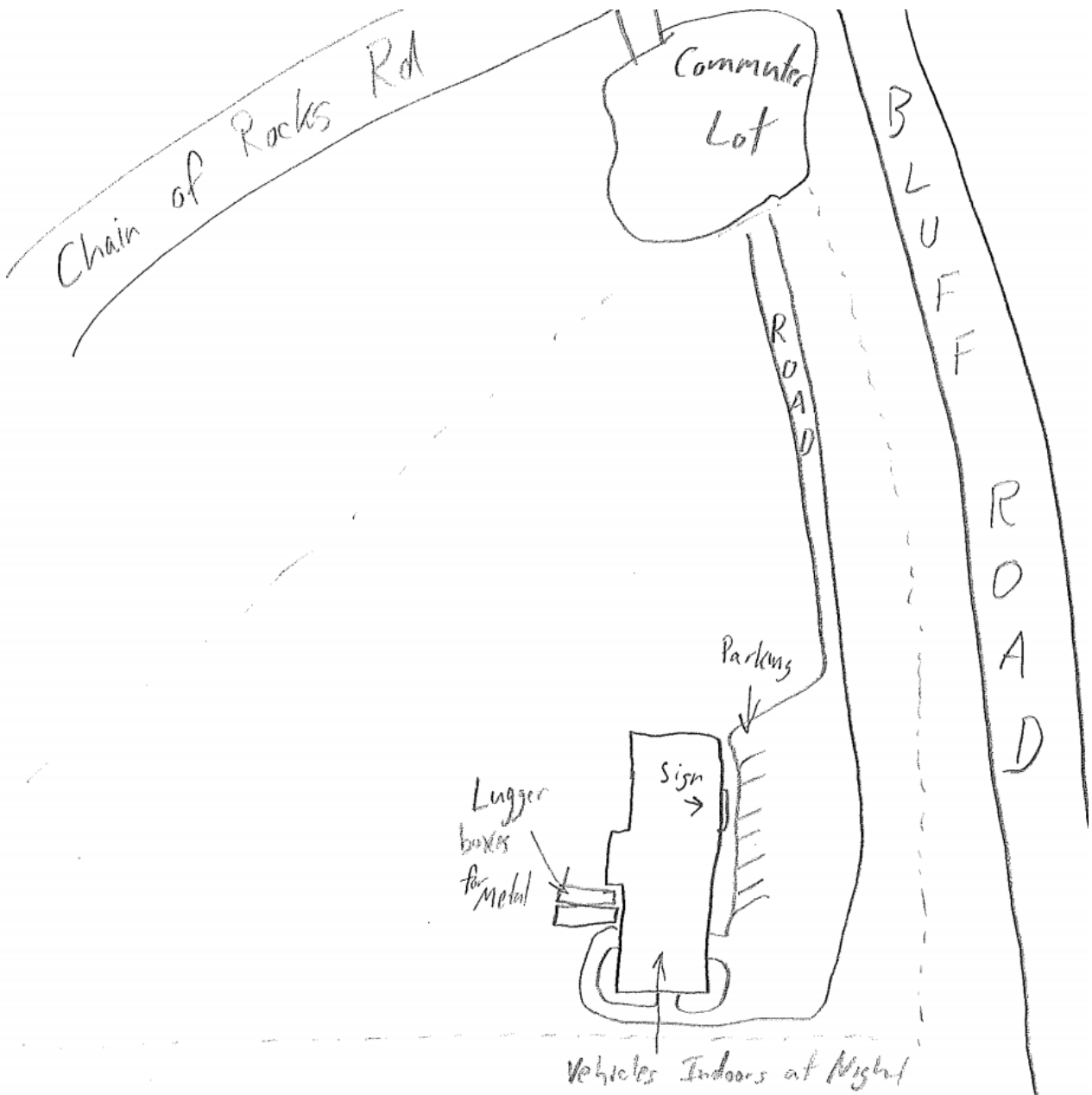




**Site Photographs**



Site Plan



## **Narrative Statement**

Rotor Recyclers would like to use the property at 5446 Chain of Rocks Rd., Edwardsville, IL, 62025 to serve as a collection point for scrap automotive parts from automotive repair shops and dealerships from the greater St. Louis area. Most of the time the traffic there will be from inbound trucks that are going from facility to facility to acquire the scrap parts. They will pull into the building where the material will be sorted, sifted and separated into different piles to be sent to a scrap yard where the metal will be milled and recycled or to a core buyer or rebuilder where they will be refurbishing the parts to put them back in to the marketplace as a remanufactured part.

On occasion a customer in the form of a core buyer or rebuilder will come to the facility to go through the material that they would be purchasing.

The other traffic would be inbound trucks to load up the cores or scrap material to go to it's corresponding facility.

There will be a few lugger boxes located behind the building for materials that are scrapped in bulk.

The purpose of this business is to recycle and reuse automotive parts from area businesses and to put them back into the supply chain as a raw material or remanufactured part that is done by another company.

We will not be working on vehicles or dismantling vehicles.

**Attachment “A” – “PD” District Conditions of Use**

- (F)** The applicant will be required to adhere to all district conditions and use requirements below. Should the applicant submit plans with substantive differences than the proposed use and accompanying site plan, the applicant will be required to return to the Building & Zoning Committee for review, upon a recommendation from the Zoning Board of Appeals.

**(G) District Conditions of Use.**

- a. Yard areas. No building or structure shall be erected or enlarged unless the following yards are provided and maintained:
  - i. Front Yard Setback: 50 feet
  - ii. Side Yard Setback: 15 feet
  - iii. Rear Yard Setback: 50 feet
- b. Additional Requirements: Signs §93.118, Parking §93.147, Fencing §93.080.

**(H) Permitted Uses**

- d. Any production, process, cleaning, servicing, testing, repair, or storage of materials, goods, or products that can be operated without creating unreasonable noise, odor, dust, smoke, gas, fumes, or vapor
- e. Warehouses and Storage
- f. Any permitted use in the “B-2” General Business District

**(I) Accessory Uses (See § 93.051 (B))**

- a. Accessory uses that are clearly associated with and supplementary to the principal uses of the lot or tract of land
- b. Off-street parking and loading
- c. Outdoor storage of materials and equipment, provided they are kept in a neat and orderly condition, and not permitted to create a health hazard and eye-sore to the general area

**(J) Prohibited uses.**

- a. Any uses not listed in the above Permitted and Accessory Uses sections.



**RESOLUTION – Z22-0047**

**WHEREAS**, on the 28<sup>th</sup> day of June 2022, a public hearing was held to consider the petition of Mark Frey, owner of record, requesting a zoning map amendment to rezone a 1.62 acre tract of land from “R-2” Single-Family Residential District to “PD” Planned Development District. This is located in Saline Township at 4164 State Route 160, Highland, Illinois, County Board District #4, PIN# 02-2-18-09-00-000-031; and,

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

**WHEREAS**, it was recommended in the aforesaid Report of Findings of the Madison County Zoning Board of Appeals that the petition of Mark Frey be **Approved with Attachment “A”**; 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

s/ Dalton Gray  
Dalton Gray

\_\_\_\_\_  
Terry Eaker

s/ Ryan Kneedler  
Ryan Kneedler

\_\_\_\_\_  
Bill Meyer

s/ Nick Petrillo  
Nick Petrillo

s/ Robert Pollard  
Robert Pollard

s/ Bobby Ross  
Bobby Ross

s/ Victor Valentine  
Victor Valentine

**BUILDING & ZONING COMMITTEE  
JULY 7, 2022**

**Attachment “A” – “PD” District Conditions of Use**

**(K)** The applicant will be required to adhere to all district conditions and use requirements below. Should the applicant submit plans with substantive differences than the proposed use and accompanying site plan, the applicant will be required to return to the Building & Zoning Committee for review, upon a recommendation from the Zoning Board of Appeals.

**(L) District Conditions of Use.**

- a. Yard areas. No building or structure shall be erected or enlarged unless the following yards are provided and maintained:
  - i. Front Yard Setback: 50 feet
  - ii. Side Yard Setback: 15 feet
  - iii. Rear Yard Setback: 50 feet
- b. Additional Requirements: Signs §93.118, Parking §93.147, Fencing §93.080.

**(M) Permitted Uses**

- g. Contractors’ offices and shops, where storage of materials and equipment is permitted on the outside of the building, provided they are kept in a neat and orderly condition, and not permitted to create a health hazard and an eye-sore to the general area
- h. Contractor or construction shops, such as: Building, cement, electrical, excavation, refrigeration, air conditioning, masonry, painting, plumbing, roofing, heating, and ventilation

**(N) Accessory Uses (See § 93.051 (B))**

- a. Accessory uses that are clearly associated with and supplementary to the principal uses of the lot or tract of land.
- b. Off-street parking and loading.
- c. Outdoor storage of materials and equipment, provided they are kept in a neat and orderly condition, and not permitted to create a health hazard and eye-sore to the general area

**(O) Prohibited uses.**

- a. Any uses not listed in the above Permitted and Accessory Uses sections.

**Finding of Fact and Recommendations**

**Hearing Z22-0047**

Petition of Mark Frey, owner of record with Gail Frey, requesting a zoning map amendment to rezone a 1.62 acre tract of land from “R-2” Single-Family Residential District to “PD” Planned Development District. This is located in Saline Township at **4164 State Route 160, Highland, Illinois**, County Board District #4, PIN# 02-2-18-09-00-000-031

**Members Present:** Thomas Ambrose, George Ellis, Mary Goode, Cedric Irby, Sharon Sherrill

**Members Absent:** Don Metzler, Nicholas Cohan

A **motion** was made by Mary Goode and **seconded** by Sharon Sherrill that the petition of Mark Frey be **Approved with Attachment “A”**.

**The Finding of Fact of the Board of Appeals:** **I.** The zoning file, staff report, 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.** Erin Kennedy, representative of Mark Frey, stated Mr. Frey is the owner of Southwestern Construction, and he is asking for the 1.62 acres to be rezoned from Single-Family Residential to “PD” Planned Development. Ms. Kennedy said the property used to be 3.21 acres, it was subdivided into three pieces, and the middle piece with the shed and pole barn is where his business has been mainly operating from since 2003. She said the business is a nonconforming use, and the business is a small construction contractor business, where Mr. Frey’s contractors would come to the property to pick up tools and the like. Ms. Kennedy said Mr. Frey is looking to add about 1300 sq ft to the existing pole barn to act as the new entranceway to his pole building with a restroom facility, extra storage, and a heated workshop. She stated no one is working full-time on the property; workers mostly just stop and go.

Roll-call vote.

**Ayes to the motion:** Thomas Ambrose, Mary Goode, Cedric Irby, Sharon Sherrill

**Nays to the motion:** None

Whereupon the Chairman declared the motion duly adopted.

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Chairman, Madison County Zoning Board of Appeals

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Secretary, Zoning Administrator

## Zoning Board of Appeals Staff Report

**Application Number:** Z22-0047

**Meeting Date:** June 28, 2022

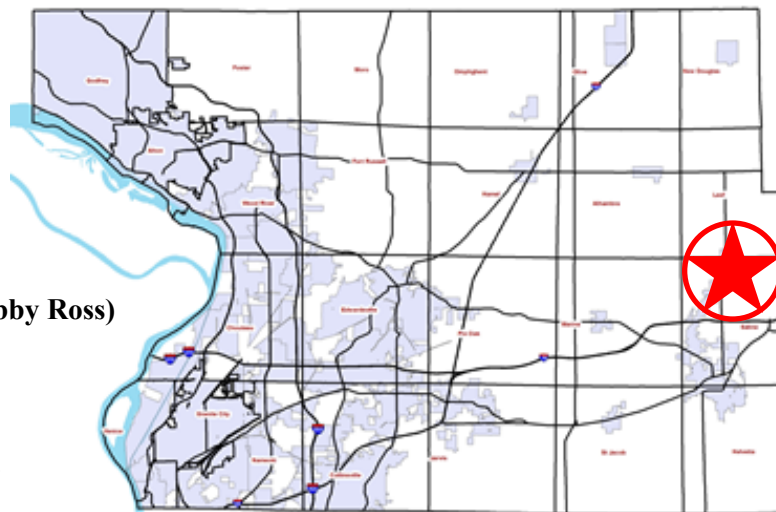
**From:** Noelle Maxey  
Zoning Coordinator

**Location:** 4164 State Route 160  
Highland, Illinois  
County Board District #4 (Bobby Ross)  
PIN: 02-2-18-09-00-000-031

**Zoning Request:** Zoning Map Amendment

**Description:** Rezoning from “R-2” to “PD”

**Attachments:** Attachment “A” – “PD” Conditions of Use



### Proposal Summary

The applicant is Mark Frey, owner of record with Gail Frey. The subject property is located in Saline Township at 4164 State Route 160, Highland, County Board District #4. The applicant is requesting a zoning map amendment to rezone the 1.62 acre property from “R-2” Single-Family Residential District to “PD” Planned Development District in order to continue operating the existing nonconforming construction business on site and bring the property into compliance. The zoning map amendment request must be reviewed and approved by the Zoning Board of Appeals (ZBA) as per §93.176, Section A, Item 3 of the Madison County Zoning Ordinance.

### Planning & Zoning Considerations

- *Land Use and Zoning of Surrounding Properties*

Direction	Land Use	Zoning
North	Row Crops	“R-2” Single-Family Residential
South	Single-Family Dwelling/Row Crops	“R-2” Single-Family Residential
East	Row Crops	“R-2” Single-Family Residential
West	Single-Family Dwellings	“R-2” Single-Family Residential

- *Zoning History* – There have been no other zoning hearings on this property, and there are no outstanding violations.
- *Rezoning from “R-2” to “PD”* – The applicant is requesting to rezone the newly-created 1.62 acre tract of land from “R-2” Single-Family Residential District to “PD” Planned Development District to continue operating the existing nonconforming construction business on site and bring the property into compliance. Previously, the construction business had been on the same parcel as the home to the south and vacant property to the north. The applicant recently subdivided this parent parcel into three new tracts, one containing the house, the second containing the commercial buildings and business, and the third as vacant farmland. After approval of this rezoning, the applicant intends to construct an addition to one of the existing commercial buildings. According to the narrative statement, the construction



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company has been running from the property since 2003. There are no Business Districts in the area, so staff chose to move forward with a “PD” Planned Development District to limit the impacts on the surrounding properties. See page 3 for the aerial photo and zoning map, page 4 for site photos, and page 5 for the site plan of the property. The proposed District Conditions of Use for this “PD” District can be found on page 9.

- *Existing and Future Structures* – There are currently two commercial structures on the subject property used for the business, one being 4500 sq ft in size and the other being 4345 sq ft in size. After approval of this rezoning request, the applicant intends to construct a 1385 sq ft addition to the larger structure that would include restrooms, a heated workshop, and storage area.

### **Staff Review**

When reviewing an application, the following should be taken into consideration: (1) the precedent, (2) the Standards of Review, and (3) public input.

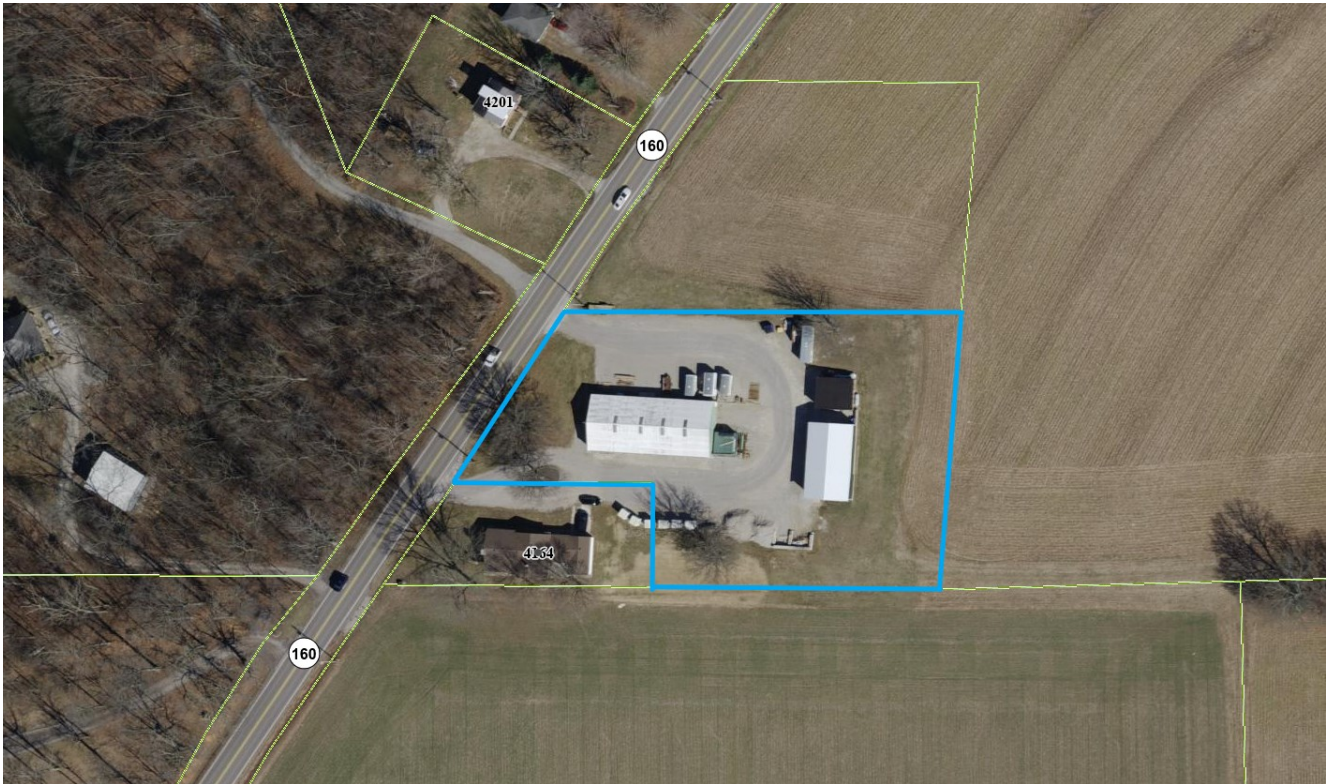
1. In the past 15 years, there have been over 100 requests for zoning map amendments, most of which have been approved.
2. The below Standards of Review for Zoning Amendments should be taken into consideration for this request. The ZBA has the authority to recommend denial of the request if the ZBA feels it does not meet the below Standards of Review.
3. Public input during the hearing has value and should be considered by staff and the ZBA when making a recommendation. Staff will provide a formal recommendation based on the outcome of the public hearing.

### **Standard of Review for Zoning Amendments**

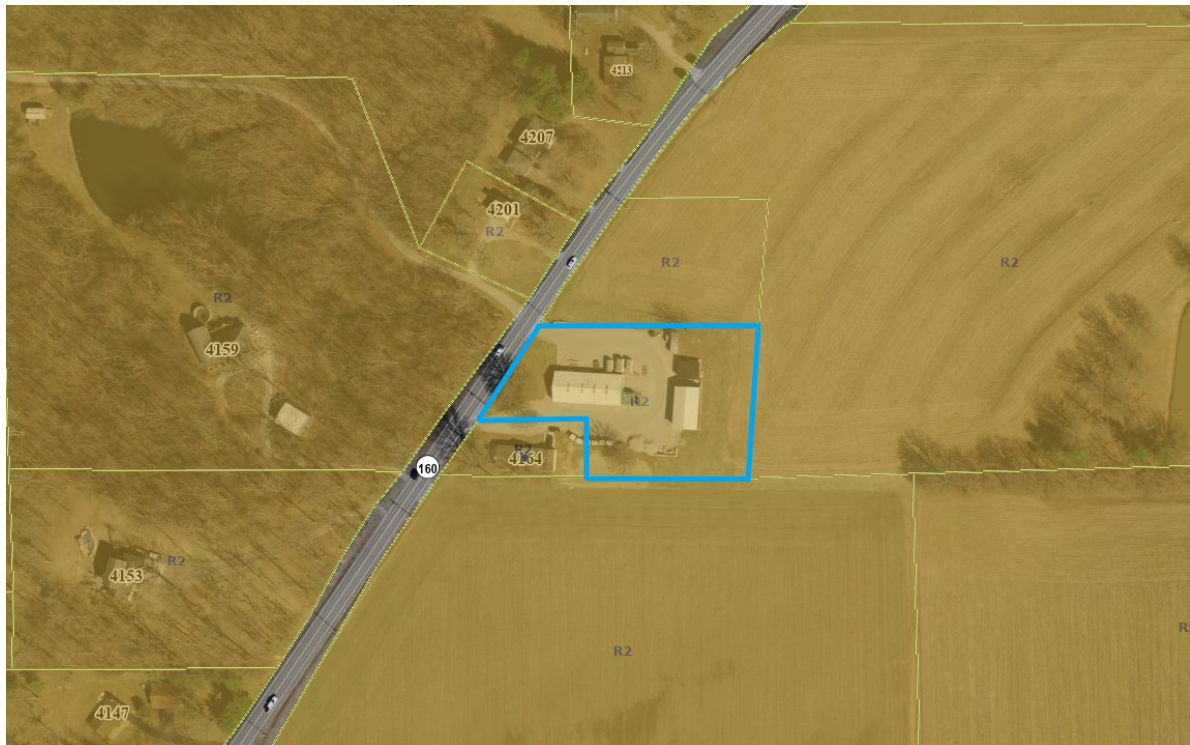
Per §93.178, Section (F), Items 1-7 of the Madison County Zoning Ordinance, the Zoning Board of Appeals shall consider the following items when reviewing a Zoning Map Amendment:

1. The effect the proposal would have on the county comprehensive plan;
2. The effect the development would have on schools, traffic, streets, shopping, public utilities, and adjacent properties;
3. Is the application necessary for the public convenience at that location;
4. In the case of an existing nonconforming use, will a special use permit/map amendment make the use more compatible with its surroundings;
5. Is the application so designed, located, and proposed to be operated that the public health, safety, and welfare will be protected;
6. Will the application cause injury to the value or other property in the neighborhood in which it is located; and,
7. Will the special use/map amendment be detrimental to the essential character of the district in which it is located?

## Aerial Photograph & Zoning Map



The subject property is outlined in blue. Please note property lines may be skewed to imagery.





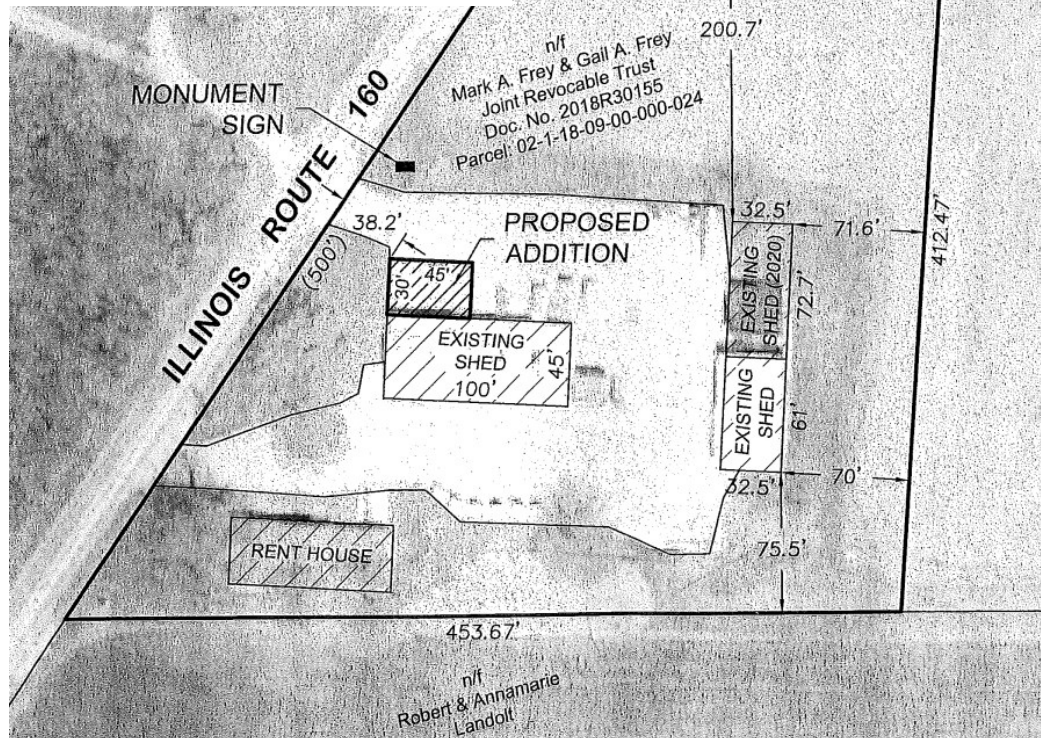
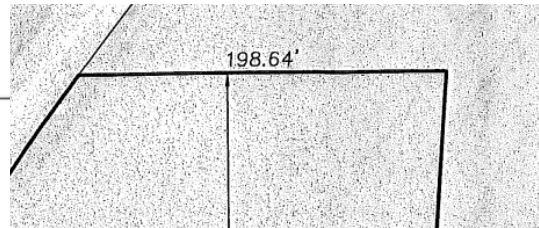
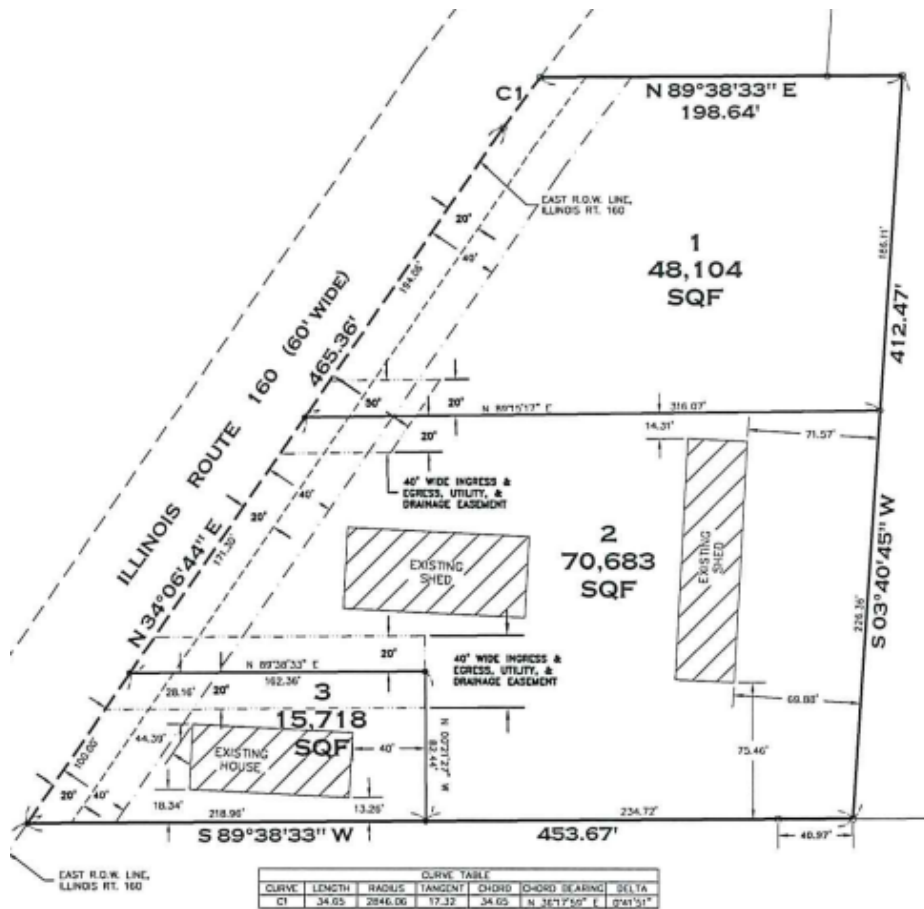
[Agenda Top](#)

## Site Photographs





Site Plan





## Narrative Statement

### Exhibit 1 to Application

Applicant: Mary Frey  
Property Owner: Mark A. and Gail A. Frey Revocable Trust  
Subject Property: 4164 State Rte 160, Highland, IL 62249  
02-1-18-09-00-000-024  
(the "Property")  
Zoning Request: Planned Unit Development District "PD"

The Applicant is the President of Southwestern Construction, Inc. Southwestern Construction, Inc. is a general contractor providing various construction services and remodeling in the Highland area. The Applicant requests that the Property be rezoned from its existing R-2 zoning to a Planned Unit Development "PD" with Madison County ("County"). This rezoning will allow the Applicant to improve and construct an addition to an existing pole building on the Property. The Applicant operates his business on the Property and has been continuously working to improve the Property's appearance for the surrounding area and for his business. The Applicant is the owner of the adjoining lots to the Property.

#### The Property Overview

The PD rezoning will allow the Applicant to construct an addition onto a 45' x 100' pole building on the Property (the "Pole Building"). The Pole Building is currently a non-conforming use under the existing zoning and thus, the Applicant is unable to construct its addition and other improvements on the Pole Building. The Applicant has operated his small construction, Southwestern Construction, Inc., on the Property since 2003. He began improving the Property's appearance for his business in 2020. Initially, the Applicant proposed three (3) phases of improvements to the Property. The proposed addition under this PD rezoning is the final stage of the Applicant's proposed improvements. The Applicant is trying to improve the Property's appearance to the surrounding community and the public while maintaining and operating the business thereon. The initial two phases included the removal of a shed in disrepair, the construction of a 36'6" x 72'6" addition onto an existing wood framed building, and the removal and replacement of metal siding and roof on the Pole Building with the addition of 16" overhang and soffit.

The Property consists of approximately 1.62 acres or 70,683 square feet. The Property is located along State Route 160. The present existing buildings on the Property include the improvements made under phase 1 and 2 described above. The Applicant owns the two lots adjoining the Property. There are two entrance locations along State Route 160 wherein the Pole Building is in between. See the attached GIS Map Image.

The Property is currently zoned R-2 Single-Family Residential District. The approval and rezoning of the Property to PD will make the Property more compatible with the existing use. Prior to the phase 1 and 2 of improvements, the Applicant stored his materials and trailers in the yard area on the Property. The addition proposed for the PD is compatible with the existing use of the Property and the existing improvements made thereon for the operation of the business. This phase 3

completion will compliment and complete the improvements made for the Applicant's use of the Property and further improve its appearance for the surrounding area.

#### Proposed Building

The Applicant's proposed structure will be a 45' 8" x 30' 4" addition onto the Pole Building on the Property. The Pole Building is approximately 4,500 square feet. The proposed addition will be 1,385 square feet. It will consist of a one-story building with a height of 17 feet. The attached Site Plan includes the floor plan and image of the structure. The Pole Building will also be improved on the western façade with brick veneer to enhance the appearance on the Property.

The addition will include a restroom facility and heated workshop and storage area. The storage area will allow the Applicant to store weather perishable materials used for his company instead of having them exposed and open outside. The workshop area will be used to make necessary small tool repairs for the business' use.

#### Traffic Circulation

The Applicant does not expect an increase in any traffic circulation to the Property. The Property has two entry points that reduce the congestion of entering and existing the Property.

#### Neighboring Properties

Neighboring properties are along State Route 160, consisting of mostly rural residential buildings. The land use consists of residential and agricultural use. The neighboring properties have been aware of the Applicant's business operation on the Property. The Applicant has also spoken with the neighboring property owners about the proposed addition on the Pole Building and has not received any objections or concerns.

#### The "PD" Planned Unit Development District Sought

##### § 93.037 "PD" PLANNED UNIT DEVELOPMENT DISTRICT

(A) General. The purpose of this zoning district is to provide areas suitable for planned developments. The Planned District is designed to provide for site design and utilization in areas favorable for growth but experiencing a variety of developmental problems, or for areas having access to urban services, utilities, and public improvements containing potentially significant site planning advantages for Planned Unit Developments. Problems may relate to existing or future traffic, land acquisition, topographical, utility, and related problem areas. It is the intent of this zone district to maximize the public welfare and to provide the flexibility needed by developers to potentially enhance the aesthetic quality, consumer benefits, and marketability of multiple or single use developments and to reduce the capital investment necessary for development, utilities and public improvement.

(B) "PD" Conditions of use.

(1) General. The planned Unit Development can be planned and developed to result in an environment of superior quality than can be achieved under traditional zoning requirements and practices.

(2) Natural features. Provision is made to accommodate and assure the maintenance of unique natural and man-made amenities such as streams, stream banks, flood plains, wooded areas, rough terrain, historic sites and similar areas.

(3) Unified control. The land is or will be under continuing unified control during and after construction, subject to the restrictions of this section.

(4) Open Space. Common or public open space shall be provided in sufficient quantity for amenity and recreational purposes. The quantity of open and recreation space in residential developments shall be a minimum of 25% of total land area and additionally shall be appropriate to the scale and character of the Planned Unit Development, considering its size, density, expected population, topography, and the number, type and density of land uses to be provided.

(5) Utilities. All Planned Unit Developments shall be provided with a central sewer and water system.

(6) Information required. Applicants for a PD shall furnish the information requested in §93.152; see § 93.168 for procedures.

(7) Subdivision requirements. Applicants, after rezoning approval, the issuance of the special use permit or concurrently with the zoning application, shall submit a preliminary and a final development plat and shall meet the requirements of the county subdivision code concerning the preliminary plat, final plat, improvements, and open space.

(8) Changes after PD completion. After the final plat has been approved and construction has been completed changes in use or land area shall only be by zoning amendment consistent with the intent and purpose of the PD except for changes that may increase the bulk of any building or rearrangement of land use by not more than 10%.

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(C) Permitted uses. Any combination of residential, commercial or industrial uses as approved.

(D) Accessory use. Any accessory use approved in a development plan.

**Attachment “A” – “PD” District Conditions of Use**

**(P)** The applicant will be required to adhere to all district conditions and use requirements below. Should the applicant submit plans with substantive differences than the proposed use and accompanying site plan, the applicant will be required to return to the Building & Zoning Committee for review, upon a recommendation from the Zoning Board of Appeals.

**(Q) District Conditions of Use.**

- a. Yard areas. No building or structure shall be erected or enlarged unless the following yards are provided and maintained:
  - i. Front Yard Setback: 50 feet
  - ii. Side Yard Setback: 15 feet
  - iii. Rear Yard Setback: 50 feet
- b. Additional Requirements: Signs §93.118, Parking §93.147, Fencing §93.080.

**(R) Permitted Uses**

- a. Contractors’ offices and shops, where storage of materials and equipment is permitted on the outside of the building, provided they are kept in a neat and orderly condition, and not permitted to create a health hazard and an eye-sore to the general area
- b. Contractor or construction shops, such as: Building, cement, electrical, excavation, refrigeration, air conditioning, masonry, painting, plumbing, roofing, heating, and ventilation

**(S) Accessory Uses (See § 93.051 (B))**

- a. Accessory uses that are clearly associated with and supplementary to the principal uses of the lot or tract of land.
- b. Off-street parking and loading.
- c. Outdoor storage of materials and equipment, provided they are kept in a neat and orderly condition, and not permitted to create a health hazard and eye-sore to the general area

**(T) Prohibited uses.**

- a. Any uses not listed in the above Permitted and Accessory Uses sections.



**ORDINANCE#:** \_\_\_\_\_

**ORDINANCE AUTHORIZING THE MADISON COUNTY FLOOD DAMAGE  
PREVENTION ORDINANCE**

**WHEREAS**, on the 7<sup>th</sup> day of July 2022, a public meeting was held to consider a petition authorizing the Madison County Flood Damage Prevention Ordinance (See Attachment “A” for the ordinance); and,

**WHEREAS**, it is the recommendation of the Building & Zoning Committee of the Board of Madison County that the petition authorizing the Madison County Flood Damage Prevention Ordinance be as follows: **Approved with Attachment “A”**; and,

**WHEREAS**, it was the opinion of the County Board of Madison County that the findings made by the Madison County Building & Zoning Committee should be approved and ordinance adopted.

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

\_\_\_\_\_  
Mick Madison

s/ Dalton Gray  
Dalton Gray

\_\_\_\_\_  
Terry Eaker

s/ Ryan Kneedler  
Ryan Kneedler

\_\_\_\_\_  
Bill Meyer

s/ Nick Petrillo  
Nick Petrillo

s/ Robert Pollard  
Robert Pollard

s/ Bobby Ross  
Bobby Ross

s/ Victor Valentine  
Victor Valentine  
**BUILDING & ZONING COMMITTEE**  
**JULY 7, 2022**

\_\_\_\_\_  
County Board Chairman

\_\_\_\_\_  
Date

\_\_\_\_\_  
County Clerk

\_\_\_\_\_  
Date



**MADISON COUNTY FLOOD  
DAMAGE PREVENTION  
ORDINANCE**

## **FLOOD DAMAGE PREVENTION ORDINANCE**

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Ordinance # \_\_\_\_\_

## **AN ORDINANCE REGULATING DEVELOPMENT IN FLOODPLAIN AREAS**

Be it ordained by the County Board of the County of Madison, Illinois as follows:

### **Section 1. Purpose.**

This ordinance is enacted pursuant to the powers granted to the County by the Illinois Counties Code, 55 ILCS 5/5-1041 and 5/5-1063. The purpose of this Ordinance is to maintain this County's eligibility in the National Flood Insurance Program; to minimize potential losses due to periodic flooding including loss of life, loss of property, health and safety hazards, disruption of commerce and governmental services, extraordinary public expenditures for flood protection and relief, and impairment of the tax base, all of which adversely affect the public health, safety and general welfare; and to preserve and enhance the quality of surface waters, conserve economic and natural values and provide for the wise utilization of water and related land resources. This Ordinance is adopted in order to accomplish the following purposes:

- A. To meet the requirements of 615 ILCS 5/18(g) Rivers, Lakes and Streams Act;
- B. To prevent unwise developments from increasing flood or drainage hazards to others;
- C. To protect new buildings and major improvements to buildings from flood damage;
- D. To protect human life and health from the hazards of flooding;
- E. To promote and protect the public health, safety, and general welfare of the citizens from the hazards of flooding;
- F. To lessen the burden on the taxpayer for flood control, repairs to public facilities and utilities, and flood rescue and relief operations;
- G. To maintain property values and a stable tax base by minimizing the potential for creating blight areas;
- H. To comply with the rules and regulations of the National Flood Insurance Program codified as 44 CFR 59-79, as amended;
- I. To make federally subsidized flood insurance available by fulfilling the requirements of the National Flood Insurance Program, and
- J. To preserve the natural characteristics and functions of watercourses and floodplains in order to moderate flood and stormwater impacts, improve water quality, reduce soil erosion, protect aquatic and riparian habitat, provide recreational opportunities, provide aesthetic benefits, and enhance community and economic development.

### **Section 2. Definitions.**

Unless specifically defined below, all words used in this ordinance shall have their common meanings. The word "shall" means the action is mandatory.

For the purposes of this ordinance, the following definitions are adopted:

**Accessory Structure** A non-habitable building, used only for parking of vehicles or storage, that is on the same parcel of property as the principal building and which is incidental to the use of the principal building.

**Agricultural Structure** A walled and roofed structure used exclusively for agricultural purposes or uses in connection with the production, harvesting, storage, raising, or drying of agricultural commodities and



livestock, including aquatic organisms. Structures that house tools or equipment used in connection with these purposes or uses are also considered to have agricultural purposes or uses.

**Base Flood** The flood having a one percent (1%) probability of being equaled or exceeded in any given year. The base flood is often referred to as the 100-year flood. The base flood elevation at any location is as defined in Section 3 of this ordinance.

**Base Flood Elevation (BFE)** The height in relation to the North American Vertical Datum (NAVD) of 1988 (or other datum, where specified) of the crest of the base flood.

**Basement** Any portion of the building, including any sunken room or sunken portion of a room, having its floor below ground level (subgrade) on all sides.

**Building** A walled and roofed structure, including gas or liquid storage tank, that is principally above ground including manufactured homes and prefabricated buildings. The term also includes recreational vehicles and travel trailers installed on a site for more than one hundred eighty (180) days per year.

**Conditional Letter of Map Revision (CLOMR)** A letter providing FEMA's comment on a proposed project that would, upon construction, affect the hydrologic or hydraulic characteristics of a flooding source and thus result in the modification of the existing Floodway, the effective BFEs, or the SFHA.

**Critical Facility** Any facility which is critical to the health and welfare of the population and, if flooded, would create an added dimension to the disaster. Damage to these critical facilities can impact the delivery of vital services, can cause greater damage to other sectors of the community, or can put special populations at risk.

**Dam** All obstructions, wall embankments or barriers, together with their abutments and appurtenant works, if any, constructed for the purpose of storing or diverting water or creating a pool. Dams may also include weirs, restrictive culverts, or impoundment Structures. Underground water storage tanks are not included.

**Development** Any man-made change to real estate including, but not necessarily limited to:

1. demolition, construction, reconstruction, repair, placement of a building, or any structural alteration to a building;
2. substantial improvement of an existing building;
3. installation of a manufactured home on a site, preparing a site for a manufactured home, or installing a travel trailer on a site for more than one hundred eighty (180) days per year;
4. installation of utilities, construction of roads, bridges, culverts or similar projects;
5. redevelopment of a site, clearing of land as an adjunct of construction
6. construction or erection of levees, dams, walls, or fences;
7. drilling, mining, filling, dredging, grading, excavating, paving, or other alterations of the ground surface;
8. storage of materials including the placement of gas and liquid storage tanks, and channel modifications or any other activity that might change the direction, height, or velocity of flood or surface waters.

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“Development” does not include resurfacing of pavement when there is no increase in elevation; construction of farm fencing; or gardening, plowing, and similar practices that do not involve filing, grading, or construction of levees.

**Elevation Certificate** A form published by FEMA that is used to certify the elevation to which a Building has been constructed.

**Existing Manufactured Home Park or Subdivision** A manufactured home park or subdivision for which the construction of facilities for servicing the lots on which the manufactured homes are to be affixed or buildings to be constructed (including, at a minimum, the installation of utilities, the construction of streets, and either final site grading or the pouring of concrete pads) is completed before the effective date of the floodplain management regulations adopted by a community.

**Expansion to an Existing Manufactured Home Park or Subdivision** The preparation of additional sites by the construction of facilities for servicing the lots on which the manufactured homes are to be affixed (including the installation of utilities, the construction of streets, and either final site grading or the pouring of concrete pads).

**FEMA** Federal Emergency Management Agency and its regulations at 44 CFR 59-79, as amended.

**Flood** A general and temporary condition of partial or complete inundation of normally dry land areas from overflow of inland or tidal waters, or from the unusual and rapid accumulation or runoff of surface waters from any source. Flood also includes the collapse or subsidence of land along the shore of a lake or other body of water as a result of erosion or undermining caused by waves or currents of water exceeding anticipated cyclical levels or suddenly caused by an unusually high water level in a natural body of water, accompanied by a severe storm, or by an unanticipated force of nature, such as flash flood or an abnormal tidal surge, or by some similarly unusual and unforeseeable event which results in a general and temporary condition of partial or complete inundation of normally dry land areas from the overflow of inland or tidal waters.

**Flood Fringe** That portion of the floodplain outside of the regulatory floodway.

**Flood Insurance Rate Map (FIRM)** A map prepared by the FEMA that depicts the floodplain or special flood hazard area (SFHA) within a community. This map includes insurance rate zones and may or may not depict floodways and show BFEs.

**Flood Insurance Study** An examination, evaluation and determination of flood hazards and, if appropriate, corresponding water surface elevations.

**Floodplain and Special Flood Hazard Area (SFHA)** These two terms are synonymous. Those lands within the jurisdiction of Madison County; that are subject to inundation by the base flood. The floodplains of Madison County are generally identified as such on panel number(s); 1704360010B, 1704360015B, 1704360020B, 1704360025B, 1704360030B, 1704360035B, 1704360040B, 1704360045B, 1704360050B, 1704360055B, 1704360060B, 1704360065B, 1704360070B, 1704360075B, 1704360080B, 1704360085B 1704360090B, 1704360095B, 1704360100B, 1704360105B, 1704360110B, 1704360115B, 1704360120B, 1704360125B, 1704360130B, 1704360135B, 1704360140B, 1704360145B, 1704360150B, 1704360155B, and 1704360160B; of the FIRM of Madison County; prepared by the FEMA and dated April 15, 1982. Floodplain also includes those areas of known flooding as identified by the community.

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**Floodproofing** Any combination of structural or nonstructural additions, changes, or adjustments to structures which reduce or eliminate flood damage to real estate, property and their contents.

**Floodproofing Certificate** A form published by the FEMA that is used to certify that a building has been designed and constructed to be structurally dry flood proofed to the flood protection elevation.

**Flood Protection Elevation (FPE)** The elevation of the base flood plus one foot of freeboard at any given location in the floodplain.

**Floodway** That portion of the floodplain required to store and convey the base flood. The floodway for the floodplains of each of the remaining floodplains of Madison County should be according to the best data available from federal/ state/ or other sources shall be as delineated on the Flood Boundary and Floodway Maps of Madison County panel number(s); 1704360010, 1704360025, 1704360030, 1704360035, 1704360045, 1704360050, 1704360055, 1704360060, 1704360065, 1704360070, 1704360075, 1704360080, 1704360090, 1704360095, 1704360100, 1704360105, 1704360110, 1704360115, 1704360125 and 1704360130 prepared by FEMA and dated April 15, 1982. The floodways for each of the remaining floodplains of the County shall be according to the best data available from the Federal, State, or other sources.

**Freeboard** An increment of elevation added to the BFE to provide a factor of safety for uncertainties in calculations, future watershed development, unknown localized conditions, wave actions and unpredictable effects such as those caused by ice or debris jams.

**Historic Structure** Any structure that is:

1. Listed individually in the National Register of Historic Places or preliminarily determined by the Secretary of the Interior as meeting the requirements for individual listing on the National Register.
2. Certified or preliminarily determined by the Secretary of the Interior as contributing to the historic district or a district preliminarily determined by the Secretary to qualify as a registered historic district.
3. Individually listed on the state inventory of historic places by the Illinois Historic Preservation Agency.
4. Individually listed on a local inventory of historic places that has been certified by the Illinois Historic Preservation Agency.

**IDNR/OWR** Illinois Department of Natural Resources/Office of Water Resources.

**IDNR/OWR Jurisdictional Stream** IDNR/OWR has jurisdiction over any stream serving a tributary area of 640 acres or more in an urban area, or in the floodway of any stream serving a tributary area of 6,400 acres or more in a rural area. Construction on these streams requires a permit from the IDNR/OWR. (Ill Admin. Code tit. 17, pt. 3700.30). The IDNR/OWR may grant approval for specific types of activities by issuance of a statewide permit which meets the standards defined in Section 6 of this ordinance.

**Letter of Map Amendment (LOMA)** Official determination by FEMA that a specific building, defined area of land, or a parcel of land, where there has not been any alteration of the topography since the date of the first NFIP map showing the property within the floodplain, was inadvertently included within the floodplain and that the building, defined area of land, or a parcel of land is removed from the floodplain.

**Letter of Map Revision (LOMR)** Letter that revises BFEs, floodplains or floodways as shown on an effective FIRM.

**Lowest Floor** the lowest floor of the lowest enclosed area (including basement). An unfinished or flood resistant enclosure, usable solely for parking of vehicles, building access, or storage in an area other than a basement area is not considered a building's lowest floor. Provided that such enclosure is not built so as to render the structure in violation of the applicable non-elevation design requirements of Section 7 of this ordinance.

**Manufactured Home** A building, transportable in one or more sections that is built on a permanent chassis and is designed to be used with or without a permanent foundation when connected to required utilities.

**Manufactured Home Park or Subdivision** A parcel (or contiguous parcels) of land divided into two or more lots for rent or sale.

**New Construction** Structures for which the start of construction commenced or after the effective date of floodplain management regulations adopted by a community and includes any subsequent improvements of such structures.

**New Manufactured Home Park or Subdivision** A manufactured home park or subdivision for which the construction of facilities for servicing the lots on which the manufactured homes are to be affixed or buildings to be constructed (including, at a minimum, the installation of utilities, the construction of streets, and either final site grading or the pouring of concrete pads) is completed on or after the effective date of the floodplain management regulations adopted by a community.

**NGVD 29** National Geodetic Vertical Datum of 1929.

**NFIP** National Flood Insurance Program.

**Recreational Vehicle or Travel Trailer** A vehicle which is:

1. built on a single chassis;
2. four hundred (400) square feet or less in size, when measured at the largest horizontal projection;
3. designed to be self-propelled or permanently towable by a light duty truck; and
4. Designed primarily not for use as a permanent dwelling but as temporary living quarters for recreational, camping, travel or seasonal use.

**Repetitive Loss** Flood related damages sustained by a structure on two separate occasions during a ten-year period for which the cost of repairs at the time of each such flood event on the average equals or exceeds twenty-five percent (25%) of the market value of the structure before the damage occurred.

**SFHA** See definition of floodplain.

**Start of Construction** Includes substantial improvement and means the date the building permit was issued. This, provided the actual start of construction, repair, reconstruction, rehabilitation, addition placement or other improvement, was within one hundred eighty (180) days of the permit date. The actual start means either the first placement of permanent construction of a structure on a site, such as the pouring of slab or footings, the installation of piles, the construction of columns or any work beyond the stage of excavation or placement of a manufactured home on a foundation. For a substantial improvement, actual



start of construction means the first alteration of any wall, ceiling, floor or other structural part of a building whether or not that alteration affects the external dimensions of the building.

**Structure (see “Building”)** The results of a man-made change to the land constructed on or below the ground, including a building, as defined in Section 2, any addition to a building; installing utilities, construction of roads or similar projects; construction or erection of levees, walls, fences, bridges or culverts.

**Substantial Damage** Damage of any origin sustained by a structure whereby the cumulative percentage of damage during a ten (10) year period equals or exceeds fifty percent (50%) of the market value of the structure before the damage occurred regardless of actual repair work performed. Volunteer labor and materials must be included in this determination. The term includes “Repetitive Loss Buildings” (see definition).

**Substantial Improvement** Any reconstruction, rehabilitation, addition or improvement of a structure taking place during a ten (10) year period in which the cumulative percentage of improvements equals or exceeds fifty percent (50%) of the market value of the structure before the improvement or repair is started.

“Substantial improvement” is considered to occur when the first alteration of any wall, ceiling, floor or other structural part of the building commences, whether or not that alteration affects the external dimensions of the structure. This term includes structures which have incurred repetitive loss or substantial damage, regardless of the actual repair work done.

The term does not include:

1. Any project for improvement of a structure to comply with existing state or local health, sanitary, or safety code specifications which are solely necessary to assure safe living conditions, or
2. Any alteration of a structure listed on the National Register of Historic Places or the Illinois Register of Historic Places.

**Violation** The failure of a structure or other development to be fully compliant with this ordinance.

**Zoning Administrator** The Zoning Administrator appointed by the Madison County Board and such deputies or assistants as have been or shall be duly appointed. The Duties of the Zoning Administrator may be delegated to a duly authorized agent or assistant as consistent with this Code of Madison County, Illinois.

### **Section 3. Base Flood Elevation.**

This ordinance’s protection standard is the base flood. The best available base flood data are listed below.

- A. The BFE for the floodplains of all studied rivers, creeks and streams within the community shall be as delineated on the base flood profiles in the Flood Insurance Study of Madison County prepared by the FEMA and dated April 15, 1982.
- B. The BFE for each floodplain delineated as an “AH Zone” or “AO Zone” shall be that elevation (or depth) delineated on the FIRM of Madison County.
- C. The BFE for each of the remaining floodplains delineated as an “A Zone” on the FIRM of Madison County shall be according to the best data available from federal, state, or other sources. Should no other data exist, an engineering study must be financed by the applicant to determine BFEs.

#### **Section 4. Duties of the Zoning Administrator**

The Zoning Administrator shall be responsible for the general administration of this ordinance and ensure that all development activities within the floodplains under the jurisdiction of Madison County meet the requirements of this ordinance. Specifically, the Zoning Administrator shall:

- A. Check all new development sites to determine if they are in the floodplain using the criteria listed in Section 3, Base Flood Elevation or for critical facilities, using the 0.2% annual chance flood elevation, if defined.
- B. Process development permits and any permit extensions in accordance with Section 5 and ensure all development activities happen in a timely manner.
- C. Ensure that all development in a floodway (or a floodplain with no delineated floodway) meets the damage prevention requirements of Section 6.
- D. Ensure that the building protection requirements for all buildings subject to Section 7 are met and maintain a record of the “as-built” elevation of the lowest floor (including basement), elevation certificate, or floodproofing certificate.
- E. Review Elevation Certificates for accuracy and require incomplete or deficient certificates to be corrected.
- F. Assure that all subdivisions and annexations meet the requirements of Section 8 and notify FEMA in writing whenever the corporate boundaries have been modified by annexation.
- G. Ensure that water supply and waste disposal systems meet the Public Health standards of Section 9.
- H. If a variance is requested, ensure that the requirements of Section 11 are met and maintain documentation of any variances granted.
- I. Inspect all development projects and take any and all penalty actions outlined in Section 13 as a necessary to ensure compliance with this ordinance.
- J. Ensure that applicants are aware of and obtain any and all other required local, state, and federal permits; including permits pertaining to IDNR/OWR floodway and dam safety rules, Clean Water Act, Public Water Supply, Endangered Species Act, Illinois Endangered and Species Protection Act.
- K. Notify IDNR/OWR and any neighboring communities prior to any alteration or relocation of a watercourse.
- L. Provide information and assistance to citizens upon request about permit procedures and floodplain construction techniques.
- M. Cooperate with state and federal floodplain management agencies to coordinate base flood data and to improve the administration of this ordinance.
- N. Maintain for public inspection base flood data, floodplain maps, copies of state and federal permits, and any other documentation of compliance for development activities subject to this ordinance.
- O. Notify FEMA and IDNR/OWR of any proposed amendments to this ordinance.
- P. Perform site inspections to ensure compliance with this ordinance and make substantial damage determinations for structures within the floodplain.

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- Q. Maintain the accuracy of floodplain maps including notifying IDNR/OWR and/or submitting information to FEMA within six months whenever a modification of the floodplain may change the BFE or result in a change to the floodplain map.
- R. Schedule an annual inspection of the floodplain and document the results of the inspection.
- S. Establish, procedures for administering and documenting determinations, as outlined below, of substantial improvement and substantial damage:
  - 1. Determine the market value or require the applicant to obtain an appraisal of the market value prepared by a qualified independent appraiser, of the building before the start of construction of the proposed work. In the case of repair, the market value of the Building shall be the market value before the damage occurred and before any repairs are made.
  - 2. Compare the cost to perform the improvement, the cost to repair a damaged building to its pre-damaged condition, or the combined costs of improvements and repairs, if applicable, to the market value of the building.
  - 3. Determine and document whether the proposed work constitutes substantial improvement or substantial damage.
  - 4. Notify property owner of all determinations and responsibilities for permitting and mitigation

**Section 5. Development Permit.**

A. Development permits

- 1. No person, firm, corporation, or governmental body, not exempted by law, shall commence any development in the floodplain without first obtaining a development permit from the Zoning Administrator.
- 2. No person, firm, corporation, or governmental body shall commence any development of a critical facility on land below the 0.2% annual chance flood elevation without first obtaining a Development permit from the Zoning Administrator.
- 3. The Zoning Administrator shall only issue a permit for development activities, including new construction and substantial improvements, which meet the requirements of this ordinance.

B. The application for development permit shall be accompanied by:

- 1. A site plan or drawings, drawn to scale using NGVD 29, showing:
  - a. property lines and dimensions;
  - b. existing grade elevations;
  - c. all changes in grade resulting from excavation or filling;
  - d. description of the benchmark or source of survey elevation control;
  - d. sewage disposal facilities;
  - e. water supply facilities;
  - f. floodplain limits based on elevation or depth, as applicable;
  - g. floodway limits, as applicable;

- h. the location and dimensions of all buildings and additions to buildings;
  - i. the location and dimensions of all structures, including but not limited to fences, culverts, decks, gazebos, agricultural structures, and accessory structures; and
  - j. The elevation of the lowest floor (including basement) of all proposed buildings subject to the requirements of Section 7 of this ordinance.
- 2. Cost of project or improvements, including all materials and labor, as estimated by a licensed engineer or architect. A signed estimate by a contractor may also meet this requirement.
- C. Upon receipt of an application for a development permit, the Zoning Administrator shall compare the elevation of the site to the BFE.
  - 1. Any development located on land that is shown by survey elevation to be below the current BFE is subject to the provisions of this ordinance.
  - 2. Any development located on land shown to be below the BFE and hydraulically connected to a flood source, but not identified as floodplain on the current FIRM, is subject to the provisions of this ordinance.
  - 3. Any development located on land that can be shown by survey data to be higher than the current BFE and which has not been filled after the date of the site's first flood map showing the site in the floodplain, is not located in a mapped floodway, or located in a Zone A, is not in the floodplain and therefore not subject to the provisions of this ordinance. A LOMR-Floodway is required before developing land inadvertently included in a mapped floodway. Unless a LOMR is obtained, all ordinance provisions apply if the land is located in a Zone A.
  - 4. Any development located on land that is above the current BFE but will be graded to an elevation below the BFE, is subject to the provisions of this ordinance.
  - 5. The Zoning Administrator shall maintain documentation of the existing ground elevation at the development site and certification that this ground elevation existed prior to the date of the site's first FIRM identification.
  - 6. The Zoning Administrator shall be responsible for obtaining from the applicant copies of all other federal, state, and local permits, approvals or permit-not-required letters that may be required for this type of activity. The Zoning Administrator shall not issue a permit unless all other federal, state, and local permits have been obtained.
- D. Upon receipt of an application for a critical facility, the Zoning Administrator shall compare the elevation of the site to the 0.2% annual chance flood elevation, if available. Refer to Section 9(A)(5) for critical facility site requirements.
- E. A development permit or approval shall become invalid unless the actual Start of Construction, as defined, for work authorized by such permit, is commenced within 180 days after its issuance, or if the work authorized is suspended or abandoned for a period of 180 days after the work commences. All permitted work shall be completed within twelve (12) months after the date of issuance of the permit or the permit shall expire. Time extensions, of not more than 180 days each, may be granted, in writing, by the Zoning Administrator. Time extensions shall be granted only if the original permit is compliant with this ordinance and the FIRM and FIS in effect at the time the extension is granted.
- F. Certification and As-Built Documentation. The applicant is required to submit certification by a licensed professional engineer or registered land surveyor that the finished fill and building elevations



were accomplished in compliance with Section 7 of this ordinance. Floodproofing measures must be certified by a registered professional engineer or registered architect as being compliant with applicable floodproofing standards. Accessory structures designed in accordance with Section 7 of this ordinance are exempt from certification, provided sufficient compliance with the development permit are documented. FEMA Elevation Certificate and Flood proofing Certificate forms are required as documentation of compliance.

An as-built grading plan, prepared by a registered professional engineer is required to certify that any development in floodplain, such as grading or the construction of bridges or culverts, are in substantial conformance with the development permit.

No building, land or structure may be occupied or used in any manner until a letter or certificate has been issued by the Zoning Administrator. Stating that the use of the building or land conforms to the requirements of this ordinance.

The Zoning Administrator must maintain records in perpetuity documenting compliance with this ordinance, including the elevation to which structures and alterations to structures are constructed or floodproofed.

#### **Section 6. Preventing Increased Flood Heights and Resulting Damages.**

Within any floodway identified on the county floodway maps, and within all other floodplains identified on the county FIRMs where a floodway has not been delineated, the following standards shall apply:

A. Except as provided in Section 6(B) of this ordinance, no development shall be allowed which, acting in combination with existing and anticipated development will cause any increase in flood heights or velocities or threat to public health and safety. The following specific development activities shall be considered as meeting this requirement:

1. Bridge and culvert crossings of streams in rural areas meeting the conditions of the IDNR/OWR Statewide Permit Number 2.
2. Barge fleeting facilities meeting the conditions of IDNR/OWR Statewide Permit Number 3.
3. Aerial utility crossings meeting the conditions of IDNR/OWR Statewide Permit Number 4.
4. Minor boat docks meeting the following conditions of IDNR/OWR Statewide Permit Number 5.
5. Minor, non-obstructive activities such as underground utility lines, light poles, sign posts, driveways, athletic fields, patios, playground equipment, minor storage buildings not exceeding 70 square feet and raising buildings on the same footprint which does not involve fill and any other activity meeting the conditions of IDNR/OWR Statewide Permit Number 6.
6. Outfall Structures and drainage ditch outlets meeting the following conditions of IDNR/OWR Statewide Permit Number 7.
7. Underground pipeline and utility crossings meeting the conditions of IDNR/OWR Statewide Permit Number 8.
8. Bank stabilization projects meeting the conditions of IDNR/OWR Statewide Permit Number 9.

9. Accessory structures and additions to existing residential buildings meeting the conditions of IDNR/OWR Statewide Permit Number 10.
10. Minor maintenance dredging activities meeting the following conditions of IDNR/OWR Statewide Permit Number 11.
11. Bridge and culvert replacement structures and bridge widening meeting the following conditions of IDNR/OWR Statewide Permit Number 12.
12. Temporary construction activities meeting the following conditions of IDNR/OWR Statewide Permit Number 13.
13. Any development determined by IDNR/OWR to be located entirely within a flood fringe area shall be exempt from state floodway permit requirements.

B. Other development activities not listed in 6(A) may be permitted only if:

1. A permit has been issued for the work in an IDNR/OWR Jurisdictional Streams by IDNR/OWR (or written documentation is provided that an IDNR/OWR permit is not required), or
2. Sufficient data has been provided to FEMA when necessary, and approval obtained from FEMA for a revision of the regulatory map and BFE.

#### **Section 7. Protecting Buildings.**

A. In addition to the state permit and damage prevention requirements of Section 6 of this ordinance, all buildings located in the floodplain shall be protected from flood damage below the FPE. This building protection requirement applies to the following situations:

1. Construction or placement of a new building or alteration or addition to an existing building.
2. Value of improvements equals or exceeds the market value by fifty percent (50%) or structural alterations made to an existing building that increase the floor area by more than twenty percent (20%). Improvements shall be figured cumulatively during a 10-year period. If substantially improved, the existing structure and the addition must meet the flood protection standards of this section.
3. Repairs made to a substantially damaged building. These repairs shall be figured cumulatively during a 10-year period. If substantially damaged, the entire structure must meet the flood protection standards of this section within 24 months of the date the damage occurred.
4. Installing a manufactured home on a new site or a new manufactured home on an existing site.
5. Installing a travel trailer or recreational vehicle on a site for more than one hundred eighty (180) days per year.
6. Repetitive loss to an existing building as defined in Section 2.

Construction or placement of a new building or alteration or addition to an existing building with the low floor below BFE; following a LOMR-F in accordance with the conditions outlined in Section 9(E).

B. Residential or non-residential buildings can meet the building protection requirements by one of the following methods:

1. The building may be constructed on permanent land fill with the lowest floor including basement at or above the FPE in accordance with the following conditions:
  - a. The lowest floor (including basement) shall be at or above the FPE.
  - b. The fill shall be placed in layers no greater than six inches before compaction and should extend at least twenty (20) feet beyond the foundation before sloping below the FPE in lieu of a geotechnical report.
  - c. The fill shall be protected against erosion and scour during flooding by vegetative cover, riprap, or other structural measure.
  - d. The fill shall be composed of rock or soil and not incorporated debris or refuse material.
  - e. The fill shall not adversely affect the flow of surface drainage from or onto neighboring properties and when necessary, stormwater management techniques, such as swales or basins, shall be incorporated.
2. The building may be elevated on solid walls in accordance with the following:
  - a. The building or improvements shall be elevated on stilts, piles, walls, crawlspace, or other foundation that is permanently open to flood waters.
  - b. All components located below the FPE shall be constructed of materials resistant to flood damage.
  - c. The lowest floor and all electrical, heating, ventilating, plumbing, and air conditioning equipment shall be located at or above the FPE.
  - d. If walls are used, all enclosed areas below the FPE shall provide for equalization of hydrostatic pressures by allowing the automatic entry and exit of floodwaters. At least two (2) walls must have a minimum of one (1) permanent opening that is below the BFE and no more than one (1) foot above finished grade. The openings shall provide a total net area of not less than one (1) square inch for every one (1) square foot of enclosed area subject to flooding below the BFE, or the design must be certified by a Registered P.E, as providing the equivalent performance in accordance with accepted standards of practice. Refer to FEMA TB 1, Openings in Foundation Walls and Walls of Enclosures, for additional guidance.
  - e. The foundation and supporting members shall be anchored, designed, and certified so as to minimize exposure to hydrodynamic forces such as current, waves, ice, and floating debris.
    - i. Water and sewer pipes, electrical and telephone lines, submersible pumps, and other service facilities may be located below the FPE provided they are waterproofed.
    - ii. The area below the FPE shall be used solely for parking or building access and not later modified or occupied as habitable space.
    - iii. In lieu of the above criteria, the design methods to comply with these requirements may be certified by a licensed professional engineer or architect.

3. The building may be constructed with a crawlspace located below the FPE provided that the following conditions and requirements of FEMA TB 11, Crawlspace Construction for Buildings Located in Special Flood Hazard Areas, which ever are more restrictive, are met:

- a. The building must be designed and adequately anchored to resist flotation, collapse, and lateral movement of the structure resulting from hydrodynamic and hydrostatic loads, including the effects of buoyancy.
  - b. All enclosed areas below the FPE shall provide for equalization of hydrostatic pressures by allowing the automatic entry and exit of floodwaters. A minimum of one (1) permanent opening shall be provided on at least two walls that is below the BFE and no more than one (1) foot above finished grade. The openings shall provide a total net area of not less than one (1) square inch for every one (1) square foot of enclosed area subject to flooding below the BFE, or the design must be certified by a Registered P.E. as providing the equivalent performance in accordance with accepted standards of practice. Refer to FEMA TB 1, Openings in Foundation Walls and Walls of Enclosures, for additional guidance.
  - c. The interior height of the crawlspace measured from the interior grade of the crawl to the top of the foundations wall must not exceed four (4) feet at any point.
  - d. An adequate drainage system must be installed to remove floodwaters from the interior area of the crawlspace within a reasonable period of time after a flood event.
  - e. Portions of the building below the FPE must be constructed with materials resistant to flood damage, and
  - f. Utility systems within the crawlspace must be elevated above the FPE.
- C. Non-residential buildings may be structurally dry floodproofed (in lieu of elevation) provided a licensed professional engineer or architect certifies that:
1. Below the FPE the structure and attendant utility facilities are watertight and capable of resisting the effects of the base flood.
  2. The building design accounts for flood velocities, duration, rate of rise, hydrostatic and hydrodynamic forces, the effects of buoyancy, and the impact from debris and ice.
  3. Floodproofing measures will be incorporated into the building design and operable without human intervention and without an outside source of electricity.
  4. Levees, berms, floodwalls, and similar works are not considered floodproofing for the purpose of this subsection.
- D. Manufactured homes or travel trailers to be permanently installed on site shall be:
1. Elevated to or above the FPE in accordance with Section 7(B), and
  2. anchored to resist flotation, collapse, or lateral movement by being tied down in accordance with the rules and regulations for the Illinois Mobile Home Tie-down Act (210 ILCS 120/1) issued pursuant to 77 Ill. Adm. Code § 870.
- E. Travel trailers and recreational vehicles on site for more than one hundred eighty (180) days per year shall meet the elevation requirements of Section 7(D) unless the following conditions are met:



1. The vehicle must be either self-propelled or towable by a light duty truck.
2. The hitch must remain on the vehicle at all times.
3. The vehicle must not be attached to external structures such as decks and porches
4. The vehicle must be designed solely for recreation, camping, travel, or seasonal use rather than as a permanent dwelling.
5. The vehicles having a total area not exceeding four hundred (400) square feet measured when measured at the largest horizontal projection.
6. The vehicle's wheels must remain on axles and inflated.
7. Air conditioning units must be attached to the frame so as to be safe for movement of the floodplain.
8. Propane tanks as well as electrical and sewage connections must be quick disconnect.
9. The vehicle must be licensed and titled as a recreational vehicle or park model, and must either:
  - a. entirely be supported by jacks, or
  - b. Have a hitch jack permanently mounted, have the tires touching the ground and be supported by block in a manner that will allow the block to be easily removed by used of the hitch jack.

F. Detached accessory structures may be permitted provided the following conditions are met:

1. The structure must be non-habitable.
2. The structure must be used only for the parking and storage and cannot be modified later into another use.
3. The structure must be located outside of the floodway or have the appropriate state and/or federal permits.
4. The exterior and interior building components and elements (i.e., foundation, wall framing, exterior and interior finishes, flooring, etc.) below the BFE, must be built with flood-resistant materials in accordance Section 7.
5. All utilities, mechanical, and electrical must be elevated above the FPE.
6. The structure must have at least one permanent opening on at least two walls not more than one (1) foot above grade with one (1) square inch of opening for every one (1) square foot of floor area.
7. The structure must be no more than one story in height and no more than six hundred (600) square feet in size.
8. The structure shall be anchored to resist floatation, collapse, lateral movement. And overturning.
9. All flammable or toxic materials (gasoline, paint, insecticides, fertilizers, etc.) shall be stored above the FPE.
10. The lowest floor elevation should be documented and the owner advised of the flood insurance implications.

## **Section 8. Subdivision Requirements**

The County Board shall take into account hazards, to the extent that they are known, in all official actions related to land management use and development.

- A. New subdivisions, manufactured home parks, annexation agreements, planned unit developments, and additions to manufactured home parks and subdivisions shall meet the damage prevention and building protections standards of Sections 6 and 7 of this ordinance.
- B. Streets, blocks lots, parks and other public grounds shall be located and laid out in such a manner as to preserve and utilize natural streams and channels. Wherever possible the floodplains should be included within parks, open space parcels, or other public grounds.
- C. Any proposal for such development shall include the following data:
  - 1. The BFE and the boundary of the floodplain, where the BFE is not available from an existing study, the applicant shall be responsible for calculating the BFE.
  - 2. The boundary of the floodway, when applicable.
  - 3. A signed statement by a Licensed Professional Engineer that the proposed plat or plan accounts for changes in the drainage of surface waters in accordance with the Plat Act (765 ILCS 205/2).

## **Section 9. Public Health and Other Standards**

- A. Public health standards must be met for all floodplain development. In addition to the requirements of Sections 6 and 7 of this ordinance, the following standards apply:
  - 1. No development in the floodplain shall include locating or storing chemicals, explosives, buoyant materials, flammable liquids, pollutants, or other hazardous or toxic materials below the FPE unless such materials are stored in a floodproofed and anchored storage tank and certified by a professional engineer or floodproofed building constructed according to the requirements of Section 7 of this ordinance.
  - 2. Public utilities and facilities such as sewer, gas and electric shall be located and constructed to minimize or eliminate flood damage.
  - 3. Public sanitary sewer systems and water supply systems shall be located and constructed to minimize or eliminate infiltration of flood waters into the systems and discharges from the systems into flood waters.
  - 4. New and replacement on-site sanitary sewer lines or waste disposal systems shall be located and constructed to avoid impairment to them or contamination from them during flooding. Manholes or other above ground openings located below the FPE shall be watertight.
  - 5. Critical facilities, which are buildings, constructed or substantially improved within the floodplain or the 0.2 percent annual chance flood elevation when defined, shall have the lowest floor (including basement) elevated or structurally dry floodproofed to the 0.2 percent annual chance flood elevation or three feet above the BFE, whichever is greater. Adequate parking shall be provided for staffing of the critical facilities at or above the BFE or 0.2 percent chance flood, when defined. Access routes to all critical facilities should be reviewed and considered when permitting. Access routes should be elevated to or above the level of the BFE.

Floodproofing and sealing measures may also be used to provide protection, as described in Section 7, and must be taken to ensure that toxic substances will not be displaced by or released into floodwaters.

Critical Facilities include emergency services facilities such as; fire and police stations, schools, hospitals, retirement homes and senior care facilities, sewage treatment plants and water treatment plants, specific roads and bridges required for evacuation, critical utility sites (telephone switching stations or electrical transformers), and hazardous material storage facilities (chemicals, petrochemicals, hazardous or toxic substances). All other activities defined as development shall be designed so as not to alter flood flows or increase potential flood damages.

- B. Dams are classified as to their size and their hazard/damage potential in the event of failure. Permits for dams may be required from IDNR/OWR. Contact IDNR/OWR to determine if a permit is required. If a permit is required, a permit application must be made to IDNR/OWR prior to the construction or major modification of jurisdictional dams.
- C. Letters of Map Revision. The Zoning Administrator shall require a CLOMR prior to issuance of a development permit for:
  - 1. Proposed floodway encroachments that will cause an increase in the BFE; and
  - 2. Proposed development which will increase the BFE by more than 0.1 feet in riverine area where FEMA has provided a BFE but no floodway.

Once a CLOMR has been issued, the development permit may be issued for site grading and structures necessary in the area of the map change to achieve the final LOMR. Upon completion, the applicant shall submit as-built certifications, as required by FEMA, to achieve a final LOMR prior to the release of final development permits. Review Section 9(E) for the construction of buildings in any floodplain issued a LOMR Based on Fill.

The Zoning Administrator shall not issue such a permit unless the applicant has demonstrated that the building will be reasonably safe from flooding. *When construction of a building following a LOMR Based on Fill is requested, the condition where a site in the floodplain is removed due to the use of fill to elevate the site above the BFE, the applicant may apply for a permit from Madison County to construct the lowest floor of a building below the BFE in the floodplain.* The Zoning Administrator shall require a professional certification from a qualified design professional that indicates the land or buildings are reasonably safe from flooding, according to the criteria established in FEMA TB 10. Professional certification may come from a professional engineer, professional geologist, professional soil scientist, or other design professional qualified to make such evaluations.

The Zoning Administrator shall maintain records, available upon request by FEMA, all supporting analysis and documentation used to make that determination, including but not limited to, all correspondence, professional certification, existing and proposed grading, sump pump sizing, foundation plans, Elevation Certificates, soil testing and compaction data.

#### **Section 10. Carrying Capacity and Notification.**

For all projects involving channel modification, fill, or stream maintenance (including levees), the flood carrying capacity of the watercourse shall be maintained.

In addition, Madison County shall notify adjacent communities in writing thirty (30) days prior to the issuance of a permit for the alteration or relocation of the watercourse.

**Section 11. Variances.**

- A. No variances shall be granted within a floodway if any increases in the base flood elevation would result.
- B. Whenever the standards of this ordinance place undue hardship on a specific development proposal, the applicant may apply to the Zoning Administrator for a variance. The Zoning Administrator shall review the applicant's request for a variance and shall submit its recommendation to the County Board or appropriate committee. The County Board may attach such conditions to granting of a variance as it deems necessary to further the purposes and objectives of this ordinance. The County Board shall base the determination on:
  - 1. Technical justifications submitted by the applicant.
  - 2. The staff report, comments, and recommendations submitted by the floodplain administrator.
  - 3. The limitations, considerations, and conditions set forth in this section.
- C. The findings of fact and conclusions of law made by the County Board according to Section 11(A), the notifications required by Section 11(B), and a record of hearings and evidence considered as justification for the issuance of all variances from this ordinance shall be maintained by the County in perpetuity.
- D. No variance shall be granted unless the applicant demonstrates and the County Board finds that all of the following conditions are met:
  - 1. The development activity cannot be located outside the floodplain.
  - 2. A determination that failure to grant the variance would result in exceptional hardship by rendering the lot undevelopable.
  - 3. The variance granted is the minimum necessary, considering the flood hazard, to afford relief.
  - 4. There will be no additional threat to public health, public safety, destruction of beneficial stream uses and functions including, aquatic habitat, causation of fraud on or victimization of the public, conflict with existing local laws or ordinances, or creation of a nuisance.
  - 5. There will be no additional public expense for flood protection, rescue or relief operations, policing, lost environmental stream uses and functions, repairs to streambeds and banks, or repairs to roads, utilities, or other public facilities.
  - 6. The circumstances of the property are unique and do not establish a pattern inconsistent with the intent of the NFIP.
  - 7. Good and sufficient cause has been shown that the unique characteristics of the size, configuration, or topography of the site renders the requirements of this ordinance inappropriate.
  - 8. All other state and federal permits have been obtained.
- E. The Zoning Administrator shall notify an applicant in writing that a variance from the requirements of the building protections standards of Section 7 that would lessen the degree of protection to a building will:



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1. Result in increased premium rates for flood insurance up to twenty-five dollars (\$25) per one hundred dollars (\$100) of insurance coverage.
  2. Increase the risk to life and property.
  3. Require that the applicant proceed with knowledge of these risks and that the applicant acknowledge in writing the assumption of the risk and liability.
- F. Considerations for Review. In reviewing applications for variances, all technical evaluations, all relevant factors, all other portions of these regulations, and the following shall be considered:
1. The danger that materials and debris may be swept onto other lands resulting in further injury or damage.
  2. The danger to life and property due to flooding or erosion damage.
  3. The susceptibility of the proposed development, including contents, to flood damage and the effect of such damage on current and future owners.
  4. The importance of the services provided by the proposed development to the community.
  5. The availability of alternate locations for the proposed development that are not subject to flooding or erosion.
  6. The compatibility of the proposed development with existing and anticipated development.
  7. The relationship of the proposed development to the comprehensive plan and floodplain management program for that area.
  8. The safety of access to the property in times of flood for ordinary and emergency vehicles.
  9. The expected heights, velocity, duration, rate of rise and debris and sediment transport of the floodwaters and the effects of wave action, if applicable, expected at the site.
  10. The costs of providing governmental services during and after flood conditions, including maintenance and repair of public utilities and facilities such as sewer, gas, electrical and water systems, streets, and bridges.
- G. Historic Structures. Variances issued for the reconstruction, repair, or alteration of a historic site or historic structure as defined in "Historic Structures", may be granted using criteria more permissive than the requirements of Sections 6 and 7 of this ordinance subject to the conditions that:
1. The repair or rehabilitation is the minimum necessary to preserve the historic character and design of the structure.
  2. The repair or rehabilitation will not preclude the structure's continued designation as a historic structure.
- H. Agriculture Structures. Variances issued for the construction or substantial improvement of agricultural structures which do not meet the non-residential building requirements of Sections 7(B) and 7(C), provided the requirements of Section 11(A) through Section 11(G) and the following are satisfied:
1. A determination that the proposed agricultural structure:

- a. Is used exclusively in connection with the production, harvesting, storage, raising, or drying of agricultural commodities, or storage of tools or equipment used in connection with these purposes or uses, and will be restricted to such exclusive uses.
- b. Has low damage potential (amount of physical damage, contents damage, and loss of function).
- c. Does not increase risks and pose a danger to public health, safety, and welfare if flooded and contents are released, including but not limited to the effects of flooding on liquefied natural gas terminals, and production and storage of highly volatile, toxic, or water-reactive materials.
- d. Complies with the wet floodproofing construction requirements of Section 11(H)(2).

2. Wet floodproofing construction requirements. Wet floodproofed structures shall:

- a. The exterior and interior building components and elements (i.e., foundation, wall framing, exterior and interior finishes, flooring, etc.) below the BFE, must be built with flood-resistant materials in accordance with Section 7 of this ordinance.
- b. The building must be designed and adequately anchored to resist flotation, collapse, and lateral movement of the structure resulting from hydrodynamic and hydrostatic loads, including the effects of buoyancy.
- c. All enclosed areas below the FPE shall provide for equalization of hydrostatic pressures by allowing the automatic entry and exit of floodwaters. A minimum of one (1) permanent opening shall be provided on at least two walls that is below the BFE and no more than one (1) foot above finished grade. The openings shall provide a total net area of not less than one (1) square inch for every one (1) square foot of enclosed area subject to flooding below the BFE, or the design must be certified by a Registered P.E. as providing the equivalent performance in accordance with accepted standards of practice. Refer to FEMA TB 1, Openings in Foundation Walls and Walls of Enclosures, for additional guidance.
- d. Any mechanical, electrical, or other utility equipment must be located above the BFE or floodproofed so that they are contained within a watertight, floodproofed enclosure that is capable of resisting damage during flood conditions in accordance with Section 7 of this ordinance.
- e. If located in a floodway, must be issued a state floodway permit, and comply with Section 6 of this ordinance.
- f. The building may not be used for manure storage or livestock confinement operations.

**Section 12. Disclaimer of Liability.**

The degree of protection required by this ordinance is considered reasonable for regulatory purposes and is based on available information derived from engineering and scientific methods of study. Larger floods may occur or flood heights may be increased by man-made or natural causes. This ordinance does not imply that development either inside or outside of the floodplain will be free from flooding or damage. This ordinance does not create liability on the part of the County of Madison or any officer or employee

thereof for any flood damage that results from proper reliance on this ordinance, or any administrative decision made lawfully thereunder.

### **Section 13. Penalty.**

Failure to obtain a permit for development in the floodplain or failure to comply with the conditions of a permit or a variance shall be deemed to be a violation of this ordinance. Upon due investigation, the Zoning Administrator may determine that a violation of the minimum standards of this ordinance exists. The Zoning Administrator shall notify the owner in writing of such violation.

- A. If such owner fails after ten (10) days from the date the written notice is issued, to correct the violation:
  - 1. The Zoning Administrator shall make application to the circuit court for an injunction requiring conformance with this ordinance or make such other order as the court deems necessary to secure compliance with the ordinance.
  - 2. Any person who violates this ordinance shall upon conviction thereof be fined not less than fifty dollars (\$50) or more than seven hundred fifty (\$750) for each offense.
  - 3. A separate offense shall be deemed committed upon each day during or on which a violation occurs or continues, and
  - 4. The Zoning Administrator shall record a notice of violation on the title of the property.
- B. The Zoning Administrator shall inform the owner that any such violation is considered a willful act to increase flood damages and therefore may cause coverage by a Standard Flood Insurance Policy to be suspended.

The Zoning Administrator is authorized to issue an order requiring the suspension of the subject development. The stop-work order shall be in writing, indicate the reason for the issuance, and shall order the action, if necessary, to resolve the circumstances requiring the stop-work order. The stop-work order constitutes a suspension of the permit.

*No site development permit shall be permanently suspended or revoked until a hearing is held by the Madison County Code Adjudication Hearing Officer. Written notice of such hearing shall be served on the permittee and shall state the grounds for the complaint, reasons for suspension or revocation, and the time and place of the hearing.*

At such hearing the permittee shall be given an opportunity to present evidence on their behalf. At the conclusion of the hearing, the Madison County Code Adjudication Hearing Officer shall determine whether the permit shall be suspended or revoked.

- C. Nothing herein shall prevent the Zoning Administrator from taking such other lawful action to prevent or remedy any violations. All costs connected therewith shall accrue to the person or persons responsible.

### **Section 14. Abrogation and Greater Restrictions.**

This ordinance repeals and replaces other ordinances adopted by the County Board to fulfill the requirements of the NFIP. However, this ordinance does not repeal the original resolution or ordinance

adopted to achieve eligibility in the program. Nor does this ordinance repeal, abrogate, or impair any existing easements, covenants, or deed restrictions. Where this ordinance and other ordinance easements, covenants or deed restrictions conflict or overlap, whichever imposes the more stringent restrictions shall prevail.

**Section 15. Severability.**

The provisions and sections of this ordinance shall be deemed separable and the invalidity of any portion of this ordinance shall not affect the validity of the remainder.

**Section 16. Effective Date.**

This ordinance shall be in full force and effect from and after its passage, approval, and publication as required by law.

Passed by the County Board of the County of Madison, Illinois, this \_\_\_\_\_ day of \_\_\_\_\_ 2022, the vote being taken by ayes and noes and entered upon the legislative records as follows:

AYES:

NOES:

Attested and filed in my office this \_\_\_\_\_ day of \_\_\_\_\_, 2022.

APPROVED:

\_\_\_\_\_  
County Board Chairman

ATTEST

\_\_\_\_\_  
County Clerk



**RESOLUTION TO AWARD A CONTRACT FOR THE PARKING LOT IMPROVEMENTS AT  
THE MADISON COUNTY WOOD RIVER FACILITY FOR THE MADISON COUNTY  
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 parking improvements at the Madison County Wood River Facility; and,

**WHEREAS**, sealed base bids were advertised and received from the following:

Byrne & Jones Construction ..... \$195,710.00  
13940 St. Charles Rock Road  
Bridgeton, MO 63044

**WHEREAS**, Byrne & Jones Construction met all specifications at a total contract price of One hundred ninety-five thousand seven hundred ten dollars (\$195,710.00); and,

**WHEREAS**, it is the recommendation of the Madison County Facilities Management Department to award the contract for parking lot improvements at the Madison County Wood River Facility to the sole bidder Byrne & Jones Construction of Bridgeton, MO; and,

**WHEREAS**, the total cost for this expenditure will be paid from Facilities Management Capital Projects- Wood River Facility.

**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 Byrne & Jones Construction of Bridgeton, MO for the above mentioned parking lot improvements at the Madison County Wood River Facility.

Respectfully submitted.

s/ Mick Madison  
Mike Madison

s/ Chris Guy  
Chris Guy

s/ Stacey Pace  
Stacey Pace

\_\_\_\_\_  
Robert Pollard

\_\_\_\_\_  
Bobby Ross

s/ Eric Foster  
Eric Foster

s/ Mike Walters  
Mike Walters

\_\_\_\_\_  
Gussie Glasper

s/ Bruce Malone  
Bruce Malone

s/ Jamie Goggin  
Jamie Goggin

s/ Matt King  
Matt King

s/ Erica Harriss  
Erica Harriss

s/ Chris Hankins  
Chris Hankins

\_\_\_\_\_  
Ryan Kneeder

**FACILITIES MANAGEMENT COMMITTEE  
JULY 12, 2022**

**FINANCE AND GOVERNMENT OPERATIONS  
JULY 14, 2022**

**RESOLUTION TO SUBMIT A BINDING REFERENDUM TO THE VOTERS OF MADISON  
COUNTY FOR CONSIDERATION IN THE MATTER OF THE  
PROPERTY TAX EXTENSION LIMITATION LAW**

**WHEREAS**, the Property Tax Extension Limitation Law (PTELL) was adopted by the General Assembly of Illinois in 1991 and signed into law by the Governor; and,

**WHEREAS**, Illinois State Statute 35 ILCE 200/18-213 provides that county boards may submit to the voters of the county the question of whether to make all non-home rule taxing districts that have all or a portion of the equalized assessed valuation subject to PTELL; and,

**WHEREAS**, the legal authority to place a referendum before the voters of Madison County rests with the County Board of Madison County.

**NOW THEREFORE, BE IT RESOLVED** by the County Board of Madison County that the County Clerk is hereby authorized to place on the November 8, 2022 General Election Ballot in Madison County the following public question:

“Shall the Property Tax Extension Limitation Law (35 ILCS 200/18-185 through 18-245), which limits annual property tax extension increases, apply to non-home rule taxing districts with all or a portion of their equalized assessed valuation located in Madison County?”

**YES/NO**

Respectfully submitted,

\_\_\_\_\_  
Bill Meyer

\_\_\_\_\_  
Jamie Goggin

\_\_\_\_\_  
Mick Madison

\_\_\_\_\_  
Chris Guy

\_\_\_\_\_  
Mike Walters

\_\_\_\_\_  
Erica Harriss

\_\_\_\_\_  
Eric Foster

\_\_\_\_\_  
Ryan Kneedler

\_\_\_\_\_  
Gussie Glasper

\_\_\_\_\_  
Mike Babcock  
**EXECUTIVE COMMITTEE**  
**JULY 20, 2022**

**RESOLUTION APPROVING THE COLLECTIVE BARGAINING AGREEMENT BETWEEN  
THE COUNTY OF MADISON, ILLINOIS, AND MADISON COUNTY WEATHERIZATION  
AND MID-AMERICA CARPENTERS REGIONAL COUNCIL**

**WHEREAS**, the Mid-America Carpenters Regional Council (“*Council*”) are the exclusive bargaining representative of Council members; and

**WHEREAS**, The Council and Madison County Board and Madison County Weatherization and Community Development operate pursuant to a Collective Bargaining Agreement expired on April 30, 2022; and

**WHEREAS**, the Council and representatives of the Madison County Board and Madison County Weatherization and Community Development have collectively bargained a successor Collective Bargaining Agreement in good faith; and

**WHEREAS**, the Council has ratified the proposed Collective Bargaining Agreement; and

**WHEREAS**, the representatives of the Madison County Board and Madison County Weatherization and Community Development have recommended the Madison County Board ratify the negotiated Collective Bargaining Agreement; and

**WHEREAS**, the Madison County Board and Madison County Weatherization and Community Development has reviewed and examined the recommended Collective Bargaining Agreement and has determined that it should be adopted as recommended.

**NOW, THEREFORE BE IT RESOLVED** the County Board of Madison County does hereby adopt and approve the Collective Bargaining Agreement between it and the Mid-America Carpenters Regional Council presented this 20th day of July, 2022, in accordance with the attached document.

Respectfully submitted by,

\_\_\_\_\_  
Bill Meyer

\_\_\_\_\_  
Jamie Goggin

\_\_\_\_\_  
Mick Madison

\_\_\_\_\_  
Chris Guy

\_\_\_\_\_  
Mike Walters

\_\_\_\_\_  
Erica Harriss

\_\_\_\_\_  
Eric Foster

\_\_\_\_\_  
Ryan Kneedler

\_\_\_\_\_  
Gussie Glasper

\_\_\_\_\_  
Mike Babcock  
**EXECUTIVE COMMITTEE**  
**JULY 20, 2022**

## **AGREEMENT TO PROVIDE CONTRACTUAL SERVICES**

This Agreement of employment is entered into between the County of Madison through the Weatherization Program of the Community Development who for the purpose of this Agreement shall be identified as the "County" and Mid-America Carpenters Regional Council, who for the purpose of this Agreement shall be identified as the "Council". This Agreement for services is in force for the duration of May 1, 2022, through April 30, 2025, and with the following provisions:

### **Article 1 – AGREEMENT**

This Agreement shall be in force from May 1, 2022, through April 30, 2025. This Agreement shall constitute the period during which the Council agrees to provide, at the County's request, certified journeymen carpenters to function as crew leaders for the Madison County Weatherization and/or Housing Rehabilitation Programs. It shall be the responsibility of the journeymen carpenter/crew leader to pay dues required by the Mid-America Carpenters Regional Council. It is understood that the County may request journeymen carpenters to act as crew leaders for the Weatherization Program. The number of Journeyman Carpenters need is at the County's discretion

### **Article 2 - POSITION AND COMPENSATION**

Under this Agreement, the County and the Council mutually agree that the duties of the crew leader shall be to supervise crew members and also perform the duties as crew members such as install calking, glazing, weather stripping to windows, etc. Other duties as assigned by the Weatherization/Housing Rehabilitation Coordinator may be identified provided they are in accordance with or similar to activities traditionally and typically performed by journeymen carpenters. Commensurate with duties, the crew leaders/journeymen carpenters shall receive as follows:

Effective 5/1/22 – Journeyman wages will be \$31.21 per hour. (\$0.73 deducted for health & welfare.)

Effective 5/1/23 - \$32.51 per hour.

Any hourly increase in the contribution to health & welfare and/or pension will be deducted from the journeyman wage.

Effective 5/1/24 - \$33.81 per hour.

Any hourly increase in the contribution to health & welfare and/or pension will be deducted from the journeyman wage.

There will be no reconsideration for any adjustment that would result in an increase of this hourly pay rate under any circumstances during the term of this Agreement. Employment shall typically consist of a 40 hour per workweek requirement; however, the County is under no obligation to pay for a 40 hour week should the actual number of hours of work be less than that. The County reserves the right to determine the number of days per week worked and the number of hours worked per day with the understanding that the total number of hours worked per week will not exceed 40 hours per week. Further, if funding for these programs ceases or if it is no longer effective to manage these programs under the current structure, the County does not guarantee that 40 hours of work per week on a 52 week basis will be provided. The County further agrees to pay as follows:

Effective 5/1/22 \$9.35 per hour for pension for each hour worked to be paid to the CARPENTERS' REGIONAL COUNCIL PENSION TRUST FUND.



## [Agenda Top](#)

In the event that a journeymen carpenter/crew leader's employment is deemed unsatisfactory by the County, the County may terminate the individual's employment at any time by written notice. Further, the County agrees to immediately contact the Council in the event that such conduct or performance is deemed unsatisfactory and the Council shall be responsible for securing an additional person or persons to replace the terminated employee. A similar replacement process shall be affected for those journeymen carpenter/crew leaders who voluntarily terminate their services with the County for any reason. The County shall not be responsible to the journeymen carpenter/crew leaders nor the Council for wages or fringe benefits indicated in this Agreement after the effective date of termination.

### **Article 3 - FRINGE BENEFITS**

The County agrees to contribute to the CARPENTERS' REGIONAL COUNCIL HEALTH AND WELFARE TRUST FUND, for the purpose of providing accident and sickness indemnity and hospital and surgical benefit insurance for all employees covered by, and performing bargaining unit work under this Agreement, and their dependents. The County shall contribute to the fund on a monthly basis and it shall contribute for all hours paid for each employee, in all classification, except as otherwise provided in this Agreement as follows:

Effective 5/1/22 \$8.90 per hour per employee (133 hour per month max. cap)

Hours paid for which contributions are due shall include regular and overtime hours plus those hours paid for as a result of any fringe benefits in the contract, such as paid holidays, paid vacations, and jury pay.

Payment is due on the tenth (10<sup>th</sup>) day of each month, for hours paid in the preceding month.

The County further agrees to pay only Health and Welfare monthly premiums for a period of three (3) months following a lay-off. Journeymen carpenters/crew leaders who voluntarily terminate their employment with the County, for any reason, shall not be eligible to receive the Health and Welfare benefit from date of termination.

Employee's eligibility for benefits shall be governed by the provisions of the Trust Fund and the Trust Agreement. The insurance for any employee who, on account of illness or injury, is not at work for full time and for full pay for the County on the date on which his insurance would otherwise become effective, shall not be made effective, shall not be made effective until his assumption of all duties pertaining to his employment at full time and for full pay.

The County agrees to be bound by the provisions of the Carpenters' Regional Council Health & Welfare Trust Fund Agreement, all amendments thereto, and all rules and regulations promulgated there under by the trustees, provided, however, that no such amendments or regulations will increase the County's cost above that which is provided in this agreement as the contribution into the Fund.

### **Article 4 - VACATION PAY**

After one (1) year of employment for the County, each journeymen carpenters/crew leader will be entitled to ten (10) days paid vacation. Vacations can be scheduled in one (1) day increments with three (3) days advance notice; otherwise, two (2) weeks advance notice is required. These vacations will be taken at such times as will not interfere with the efficient scheduling of the Employer.

### **Article 5 – APPRENTICES**

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It is agreed that the COUNCIL and the COUNTY and any and all apprentices in the COUNTY'S employment, shall and will, be bound by all the terms and provisions of the CARPENTER'S APPRENTICESHIP TRAINING STANDARDS AGREEMENT and all subsequent amendments thereto.

The COUNTY shall contact the COUNCIL of their intent to hire an Apprentice or Apprentices. If the COUNCIL, cannot perfidy said Apprentice than the COUNTY may hire from other means as long as the new hire and the COUNTY abide by the obligations of any other indentured Apprentices.

All Apprentices shall have the same bargaining conditions as Journeymen except for Three (3) months of Health & Welfare shall not be paid at lay-off.

The Apprentices wages (percentage of Journeyman wages) and fringe benefits shall be as follows:

Classification	Wages	Health & Welfare capped at 133 hrs per month	Pension	Training	Total Empl
Journeyman	\$31.21	\$8.90	\$9.35		\$18.25
1st Term - 50%	\$15.61	\$4.45	\$4.68	\$0.50	\$9.63
2nd Term - 55%	\$17.17	\$4.90	\$5.14	\$0.50	\$10.54
3rd Term - 60%	\$18.73	\$5.34	\$5.61	\$0.50	\$11.45
4th Term - 65%	\$20.29	\$5.79	\$6.08	\$0.50	\$12.37
5th Term - 75%	\$23.41	\$6.68	\$7.01	\$0.50	\$14.19
6th Term - 80%	\$24.97	\$7.12	\$7.48	\$0.50	\$15.10
7th Term - 85%	\$26.53	\$7.57	\$7.95	\$0.50	\$16.02
8th Term - 90%	\$28.09	\$8.01	\$8.42	\$0.50	\$16.93

Note: Wages, Pension, and Training shall be paid for every hour worked; the Health & Welfare contribution shall be capped at 133 hours a month. Increases for the above scales shall be contractually on May 1<sup>st</sup> of each year.

It is also agreed that the COUNTY must have one (1) Journeyman carpenter with every two (2) Apprentices in an average size crew, but the Union understands that the County may need to use a ratio of one (1) Journeyman to three (3) Apprentices, and the County shall notify the Union when doing so.

The Union also recognizes the County as sole judge of an Apprentices qualification for employment and work ethics to maintain employment.

## **Article 6 –GRIEVANCES**

**SECTION 1:** The purpose of this Section is to provide an opportunity to discuss differences and establish procedures for the processing and settlement of grievances. "Grievance" is hereby defined to be an alleged violation of a term of this Agreement, which may be brought by an individual member or a group of members (through Steps 1 and 2).

**STEP 1:** Any employee who believes that they have a justifiable complaint shall discuss the complaint with his or her immediate supervisor. This discussion is a required step in the grievance procedure prior to filing a written grievance. If no satisfactory settlement is reached within three (3) working days, from the date of the discussion with the supervisor the grievance may be advanced to Step 2.

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**STEP 2:** The procedure in Step 2 shall be the presentation of the written grievance to Human Resources, signed by the grieving party within five (5) working days of knowledge of the alleged violation. Human Resources shall review the grievance, the Step 1 response, and any supporting documentation, within thirty (30) days of receipt of the Step 2 appeal. Within ten (10) days of review, Human Resources shall give its answer, in writing, to the Council.

**STEP 3:** The procedure in Step 3 shall be the presentation of the written grievance to the County Board Chairman, signed by the grieving party within five (5) days of the Step 2 response. The County Board Chairman or his/her designee shall review the grievance, the Step 2 response, and any supporting documentation, within thirty (30) days of receipt of the Step 3 appeal. Within ten (10) days of review, the County Board Chairman shall give his/her answer, in writing, to the Council.

**STEP 4:** If the grievance is not satisfied with the response in Step 3, the Council may request such grievance be disposed of by arbitration. If the parties cannot agree upon an arbitrator within ten (10) days, the parties shall request the Federal Mediation and Coalition Services (FMCS) to assign an arbitrator. The arbitrator to whom the grievance is submitted shall have authority to interpret and apply the provisions of this Agreement, but shall not have authority to alter, in any way, the terms and conditions of this Agreement. The decision of the arbitrator shall be final and binding to the parties of this Agreement. The parties shall be equally responsible for the cost of the arbitration, and shall bear their own fees and costs, including attorney's fees. The arbitration hearing shall be conducted in accordance with the AAA Rules for Expedited Labor Arbitrations.

**SECTION 2:** The time limitations of the above Steps may be waived by mutual agreement. Failure of the grievant to advance the grievance within the time limits shall constitute a withdrawal of the grievance. Failure of the COUNTY or its representative to provide a response within the time limits shall constitute a denial of the grievance.

**Article 7 - DURATION OF AGREEMENT AND FRAMEWORK FOR BARGAINING**

This Agreement shall be effective May 1, 2022, until April 30, 2025. Should the Council wish to negotiate a successor agreement, it should submit a demand to bargain at least ninety (90) days prior to expiration of the Agreement. Upon receipt of a demand to bargain, the Parties shall meet within thirty (30) days to exchange proposals.

The signature of the County Representative shall denote that the County agrees to and shall comply with the provisions of this Agreement. The signature of the Council Representatives shall denote that the Council fully understands and shall comply with the provisions of this Agreement.

MID-AMERICA  
COUNTY OF MADISON

CARPENTERS' REGIONAL COUNCIL

\_\_\_\_\_  
KURT PRENZLER, CHAIRMAN  
MADISON COUNTY BOARD

\_\_\_\_\_  
GARY PERINAR  
EXECUTIVE SECRETARY-TREASURER

\_\_\_\_\_  
DEBBIE MING-MENDOZA  
MADISON COUNTY CLERK

\_\_\_\_\_  
RAY SCHWEGMANN  
REPRESENTATIVE

**SUMMARY REPORT OF CLAIMS AND TRANSFERS**  
**June 2022**

Mr. Chairman and Members of the County Board:

Submitted herewith is the Claims and Transfers Report for the month of June 2022 requesting approval.

	<b>Payroll</b>	<b>Claims</b>
	<b>06/10/2022, 06/24/2022</b>	<b>06/01-30/2022</b>
GENERAL FUND	\$ 2,659,862.89	\$ 713,504.48
SPECIAL REVENUE FUND	1,453,503.79	5,030,104.53
SPECIAL REVENUE FUND - ARPA	-	38,030.75
DEBT SERVICE FUND	-	-
CAPITAL PROJECT FUND	-	8,245.00
ENTERPRISE FUND	46,044.29	71,409.16
INTERNAL SERVICE FUND	29,979.80	1,154,207.12
COMPONENT UNIT	-	-
<b>GRAND TOTAL</b>	<b>\$ 4,189,390.77</b>	<b>\$ 7,015,501.04</b>

<hr/> s/ David Michael	<hr/> s/ John E. Foster
David W. Michael	<hr/> s/ Jamie Goggin
Madison County Auditor	<hr/> s/ Erica Harriss
July 20, 2022	<hr/> s/ Chris Guy
	<b>FINANCE &amp; GOVERNMENT OPERATIONS</b>
	<b>JULY 14, 2022</b>



## **IMMEDIATE EMERGENCY APPROPRIATION**

**WHEREAS**, the Fiscal Year 2022 Budget for the County of Madison has been duly adopted by the County Board; and,

**WHEREAS**, subsequent to the adoption of said County Budget, it has been determined that there were necessary expenditures incurred by the State's Attorney's office due to outside counsel being retained for work on the sub circuit litigation case authorized by the County Board; and

**WHEREAS**, said expenditures of \$29,000 will result in a deficit budget in the State's Attorney–Administration budget; and

**WHEREAS**, there are sufficient funds available in the General Fund for this immediate emergency appropriation;

**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 State Statutes, that this Immediate Emergency Appropriations be hereby adopted whereby the Fiscal Year 2022 Budget for the County of Madison be increased by \$29,000.00 for the State's Attorney – Administration budget in the General Fund.

Respectfully submitted,

s/ John E. Foster

s/ Jamie Goggin

s/ Erica Harriss

s/ Chris Guy

**FINANCE & GOVERNMENT OPERATIONS**

**JULY 14, 2022**

**IMMEDIATE EMERGENCY APPROPRIATION**

**WHEREAS**, the Fiscal Year 2022 Budget for the County of Madison has been duly adopted by the County Board; and,

**WHEREAS**, subsequent to the adoption of said County Budget, an intergovernmental agreement has been approved by the County Board between the Madison County Sheriff and the Illinois Department of Children and Family Services; and

**WHEREAS**, it has been determined that there are expenditures that will be incurred to enhance safety protocols, assist with home visits, safety assessments, and well-being checks, and for taking youth into protective custody; and

**WHEREAS**, said expenditures were not provided for in the Fiscal Year 2022 Sheriff's budget and will result in a deficit budget; and

**WHEREAS**, the intergovernmental agreement approved provides sufficient revenues to facilitate this immediate emergency appropriation;

**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 2022 Budget for the County of Madison be increased by \$138,809.16 in the Sheriff – IL DCFS budget in the General Fund.

Respectfully submitted,

s/ John E. Foster

s/ Jamie Goggin

s/ Erica Harriss

s/ Chris Guy

**FINANCE & GOVERNMENT OPERATIONS**

**JULY 14, 2022**

**IMMEDIATE EMERGENCY APPROPRIATION**

**WHEREAS**, the Fiscal Year 2022 Budget for the County of Madison has been duly adopted by the County Board; and,

**WHEREAS**, subsequent to the adoption of said budget, the Madison County Child Advocacy Center has received a second amendment to the 2020 grant from the Children's Advocacy Centers of Illinois (CACI) for the purpose of providing funding for iCloud storage for forensic interviews; and,

**WHEREAS**, the CACI originally authorized funds in the amount of \$40,000, with the Child Advocacy Center providing no additional match funds for use through September 30, 2021; and

**WHEREAS**, the CACI previously authorized an amendment and extension in January 2022, to provide additional funds of \$33,386 and an extension through June 30, 2022; and

**WHEREAS**, the second amendment dated July 5, 2022 provides additional grant funds in the amount of \$22,007 from CACI with no additional match required from the County; and

**WHEREAS**, the second amendment extends the grant period through January 31, 2023; the amount not expended in Fiscal Year 2022 will be reappropriated for the remaining grant period in Fiscal year 2023;

**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 2022 Budget for the County of Madison be increased by \$22,007 in the account established as 2020 Child Advocacy Center – CACI CESF COVID-19 Grant.

Respectfully submitted,

s/ John E. Foster

s/ Jamie Goggin

s/ Erica Harriss

s/ Chris Guy

**FINANCE & GOVERNMENT OPERATIONS**

**JULY 14, 2022**

## **IMMEDIATE EMERGENCY APPROPRIATION**

**WHEREAS**, the Fiscal Year 2022 Budget for the County of Madison has been duly adopted by the County Board; and,

**WHEREAS**, subsequent to the adoption of said budget, the County has received a grant in the amount of \$20,000 entitled Family Violence Prevention Coordinating Council Grant, with the purpose of increasing awareness of family violence and providing resources to help eliminate the problem,

**WHEREAS**, the Illinois Criminal Justice Information Authority has authorized funds of \$20,000, with the County providing no matching funds; and

**WHEREAS**, the agreement provides a grant period of July 1, 2022 through June 30, 2023; the amount not expended in Fiscal Year 2022 will be reappropriated for the remaining grant period in Fiscal year 2023;

**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 2022 Budget for the County of Madison be increased by \$20,000 in the fund established as the 2023 Family Violence Prevention Coordinating Council Grant #322303.

Respectfully submitted,

s/ John E. Foster

s/ Jamie Goggin

s/ Erica Harriss

s/ Chris Guy

**FINANCE & GOV. OPERATIONS COMMITTEE**

**JULY 14, 2022**



## **IMMEDIATE EMERGENCY APPROPRIATION**

**WHEREAS**, the Fiscal Year 2022 Budget for the County of Madison has been duly adopted by the County Board; and,

**WHEREAS**, the County has been allocated \$51,078,063 in federal funding through the American Rescue Plan Act (ARPA); and

**WHEREAS**, it has been determined that there are necessary expenditures totaling \$121,110 that will be incurred for the purchase and renewal of Arctic Wolf security monitoring services and cloud services subscription for the Information Technology Department; and

**WHEREAS**, said expenditures were not provided for in the Fiscal Year 2022 Budget and are eligible under ARPA; and

**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 2022 Budget for the County of Madison be increased by \$121,110.00 in the ARPA – Information Technology ~~Cyber Security~~ fund.

Respectfully submitted,

s/ John E. Foster

s/ Jamie Goggin

s/ Erica Harriss

s/ Chris Guy

**FINANCE & GOV. OPERATIONS COMMITTEE**

**JULY 14, 2022**

**IMMEDIATE EMERGENCY APPROPRIATION**

**WHEREAS**, the Fiscal Year 2022 Budget for the County of Madison has been duly adopted by the County Board; and,

**WHEREAS**, subsequent to the adoption of said County Budget, it was determined that there are necessary expenditures totaling \$195,710 that will be incurred for parking lot improvements at the Wood River Facility; and

**WHEREAS**, the appropriations for Fiscal Year 2022 do not incorporate these additional needs; and

**WHEREAS**, there are sufficient funds available in the Capital Project Fund to accommodate this immediate emergency appropriation;

**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 2022 Budget for the County of Madison be increased by \$195,710 in the Madison County Capital Project Fund – Wood River Facility budget.

Respectfully submitted,

s/ John E. Foster

s/ Jamie Goggin

s/ Erica Harriss

s/ Chris Guy

**FINANCE & GOV. OPERATIONS COMMITTEE**

**JULY 14, 2022**

**RESOLUTION AUTHORIZING THE  
PURCHASE OF EXCESS LIABILITY, PROPERTY &  
EARTHQUAKE INSURANCE COVERAGES**

**WHEREAS**, Madison County has requested quotes for excess liability, commercial property insurance package, earthquake, and cyber liability coverages; and

**WHEREAS**, States Self-Insurers Risk Retention Group has provided a comprehensive renewal quote for excess liability coverage, on an occurrence form basis, with a \$1 million self-insured retention and a \$10 million aggregate for general, auto, public officials, law enforcement, employment practices and professional liability coverages, for a one year period commencing July 22, 2022, for a premium of \$325,836; and

**WHEREAS**, Cincinnati Insurance Company has presented a comprehensive property insurance proposal including \$5 million in earthquake coverage, for a one year period commencing July 22, 2022, for a premium of \$253,042; and

**WHEREAS**, RSUI Indemnity has proposed excess earthquake insurance with a value of \$22.5 million, for a one year period commencing July 22, 2022, for a premium of \$122,000; and

**WHEREAS**, Velocity Insurance has proposed excess earthquake insurance with a value of \$22.5 million, for a one year period commencing July 22, 2022, for a premium of \$128,186; and

**NOW, THEREFORE, BE IT RESOLVED** that Madison County purchase the above outlined insurance coverages for the grand total of \$829,064.

Respectfully submitted by:

s/ Eric Foster

s/ Jamie Goggin

s/ Erica Harriss

s/ Chris Guy

**FINANCE AND GOVERNMENT OPERATIONS  
JULY 14, 2022**

**RESOLUTION AUTHORIZING SETTLEMENT  
OF A WORKERS' COMPENSATION CLAIM  
FILE #: 14-001**

**WHEREAS**, Madison County has established a set of procedures for the payment of Workers' Compensation claims; and

**WHEREAS**, these procedures specifically state that any payment in excess of \$20,000 shall be approved by the County Board; and

**WHEREAS**, this full and final settlement in the amount of \$39,356.47 represents 50% of the right foot, construction of ramp, and reimbursement for disputed mileage;

**WHEREAS**, this settlement has been approved by the claimant, by the Director of Safety & Risk Management, by the Legal Counsel for the Workers' Compensation Program, by the Finance and Government Operations Committee and by the Workers' Compensation Commission;

**NOW, THEREFORE BE IT RESOLVED**, that the Madison County Board authorizes the full and final settlement of File #: 14-001 in the amount of \$39,356.47.

Respectfully submitted by:

s/ Eric Foster

s/ Jamie Goggin

s/ Erica Harriss

s/ Chris Guy

**FINANCE AND GOVERNMENT OPERATIONS**

**JULY 14, 2022**



## 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 Finance and Government Operations 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 this 20<sup>th</sup> day of July, 2022.

ATTEST:

\_\_\_\_\_  
County Clerk

\_\_\_\_\_  
County Board Chairman

Submitted by,

s/ Eric Foster

s/ Jamie Goggin

s/ Erica Harriss

s/ Chris Guy

**FINANCE AND GOVERNMENT OPERATIONS COMMITTEE**

**JULY 14, 2022**

**ORDINANCE NO. \_\_\_\_\_**

**AN ORDINANCE AMENDING ORDINANCE NUMBER 97-06 TO ADD TERRITORY IN EDWARDSVILLE AND PONTOON BEACH TO THE GATEWAY COMMERCE CENTER ENTERPRISE ZONE**

**WHEREAS**, on August 20, 1997 the County Board of the County of Madison, Illinois passed Ordinance Number 97-06 entitled "An Ordinance Establishing An Enterprise Zone Consisting of Adjacent Areas Within The County of Madison, City of Edwardsville and Village of Pontoon Beach, Subject to Approval By The Southwestern Illinois Development Authority and Illinois Department of Commerce and Community Affairs, and Approving and Authorizing the Execution of an Intergovernmental Agreement"; providing a boundary description for the Gateway Commerce Center Enterprise Zone; and

**WHEREAS**, the County Board of the County of Madison, Illinois has found it appropriate to amend Ordinance Number 97-06 so as to add new territory in the City of Edwardsville and Village of Pontoon Beach to the Gateway Commerce Center Enterprise Zone; and

**WHEREAS**, the County Board of the County of Madison, Illinois has determined that it is necessary and in the best interest of the County of Madison, and economic development interests countywide, to further add new property in the City of Edwardsville and the Village of Pontoon Beach to the Gateway Commerce Center Enterprise Zone to continue revitalization in the Downtown areas for both municipalities and provide further incentives to assist existing businesses and residents, as well as attract new economic interests; and

**WHEREAS**, with the further expansion of the enterprise zone, the new property will receive all the state and local amenities provided by the present enterprise zone; and

**WHEREAS**, a public hearing was held at 1:30 P.M. on Thursday, June 9, 2022 in the City of Edwardsville City Hall located at 118 Hillsboro, Edwardsville, Illinois where pertinent information was presented.

**NOW, THEREFORE, BE IT ORDAINED BY THE COUNTY BOARD** of the County of Madison, Illinois, as follows:

- (1) That the County Board of the County of Madison hereby approves, subject to the concurrence of the City Council of the City of Edwardsville, the Village Board of trustees of the Village of Pontoon Beach, and the Illinois Department of Commerce and Economic Opportunity the expansion of the Gateway Commerce Center Enterprise Zone to include the property identified in Exhibit "A" hereby incorporated by reference;
- (2) That the County Board of the County of Madison, subject to the passage of comparable ordinances by the Village Board of Trustees of the Village of Pontoon Beach, the City Council of the City of Edwardsville, and subject to the approval of the Illinois Department of Commerce and Economic Opportunity hereby approves
- (3) the new boundary description of the enterprise zone as identified in Exhibit "B" hereto;
- (4) That the City of Edwardsville and the Village of Pontoon Beach will provide all local benefits and amenities in the expanded territory as is currently being accorded to inhabitants of the Gateway Commerce Center Enterprise Zone; and
- (5) The tax abatement shall pertain only to that parcel within the Enterprise Zone which has been improved after the designation of the Enterprise Zone provided, however, no such abatement shall

be applicable to any such improvement project located within the boundaries of a Tax Increment Financing District.

- (6) That this Ordinance shall be in full force and effect immediately following its passage, approval, recording, inspection and publication, as may be required, according to law.

Respectfully submitted,

s/ John E Foster

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John Eric Foster, Chair

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Judy Kuhn

s/ Bruce Malone

Bruce Malone

s/ Victor Valentine, Jr.

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Victor Valentine, Jr.

s/ Bill Meyer

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Bill Meyer

s/ Stacey Pace

Stacey Pace

s/ Erica Harriss

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Erica Harriss

s/ Denise Wiehardt

Denise Wiehardt

s/ Liz Dalton

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Liz Dalton

## GRANTS COMMITTEE

JULY 5, 2022

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**ADOPTED BY THE COUNTY BOARD OF THE COUNTY OF MADISON, ILLINOIS**, this \_\_\_\_ day of \_\_\_\_\_, 2022 by roll call vote as follows:

AYES:

NAYS:

ABSTENTIONS:

ABSENT:

**APPROVED BY THE CHAIRMAN OF THE COUNTY OF MADISON, ILLINOIS**, this \_\_\_\_ day of \_\_\_\_\_, 2022.

\_\_\_\_\_  
Kurt Prenzler  
Madison County Board Chairman

ATTEST:

This \_\_\_\_ day of \_\_\_\_\_, 2022

**BY:** \_\_\_\_\_  
Debbie Ming-Mendoza  
Madison County Clerk

EXHIBIT A  
GATEWAY COMMERCE CENTER ENTERPRISE ZONE  
ADDITION AREA BOUNDARY DESCRIPTION

Addition 16

Parcel 1

Part of the City of Edwardsville Corporate Limits located in Section 11 and 12, Township 4 North, Range 7 West of the Third Principal Meridian, Madison County, Illinois, described as follows:

Beginning at the intersection of the Northwestern line of St. Louis Street with the Easterly line of Main street in the City of Edwardsville; Thence Southeasterly, along said Easterly line of Main Street, a distance of 71.5 feet to a point on the Northwestern line of property owned by Edwardsville National Bank, as recorded in Book 3120, Page 2357 in the Recorder's Office of Madison County, Illinois; Thence Northeasterly, along said Northwestern line of Edwardsville National Bank, a distance of 197 feet to a corner of said Edwardsville National Bank; Thence Northwesternly, along the Westerly line of said Edwardsville National Bank tract, a distance of 25 feet to a point on the Northwestern line of outlet 1 of the Original Town of Edwardsville; Thence Northeasterly, along said Northwesternly line of Outlet 1, a distance of 90 feet to the Northeast corner of said outlet 1; Thence southeasterly, a distance of 114.7 feet to the Southeast corner of said Outlet 1; Thence Southwesterly, a distance of 265.2 feet to the Southwest corner of said Outlet 1, said point being on the Easterly line of said Main Street; Thence Southeasterly, along said Easterly line of Main Street, a distance of 382.4 feet to the North line of Vandalia street; Thence Southeasterly, a distance of 63 feet, more or less, to the Northwestern corner of Lot 447 of Todd and Others, an Addition to the city of Edwardsville as recorded in Plat Book 6, Page 484 in said Recorder's Office; Thence Southeasterly, a distance of 150 feet to the Southwest corner of Lot 449 of said Todd and Others Addition; Thence Southwesterly, a distance of 50 feet to the Northeast corner of Lot 486 of said Todd and Others Addition; Thence southwesterly, a distance of 150 feet to the Northwest corner of said Lot 486; Thence Southeasterly, a distance of 150 feet to the Southwest corner of Lot 484 of said Todd and Others Addition; Thence Southeasterly, a distance of 50 feet to the Northwest corner of Lot 483 of said Todd and Others Addition; Thence Southwesterly to the Northeast corner of Lot 496 of said Todd and Others Addition; Thence Southeasterly, along the Easterly line of Lots 496 through 507 of said Todd and others Addition and along the Southerly extension thereof to a point on the Southeasterly line of Schwarz Street; Thence Northeasterly, along said Southeasterly line of Schwarz Street and the Easterly extension thereof to a point on the Northeasterly line of Main Street; Thence Northwesternly, to the intersection of said East line of Main Street and the South line of Schwarz Street; Thence Northeasterly, along the South line of Schwarz Street, to the Northwest corner of Lot 397 of said Todd and Others Addition; Thence Northwesternly, a distance of 50 feet, to the Southwest corner of Lot 398 of said Todd and Others Addition; Thence Northwesternly, along the Westerly of Lots 398 through 409 of said Todd and Others Addition, to the Northwest corner of said Lot 409; Thence Northeasterly, a distance of 150 feet to the Northeast corner of Lot 409; Thence Northeasterly, a distance of 50 feet to the Northwest corner of Lot 25 of said Todd and Others Addition; Thence Northeasterly, a distance of 150 feet to the Northeast corner of Lot 30 of said Todd and Others Addition; Thence Southeasterly, along the Easterly line of Lot 30 and along the Easterly line of Lots 357 through 365 of said Todd and Others Addition to the southeast corner of said Lot 365; Thence Southeasterly, a distance of 50 feet to the Northeasterly corner of Lot 366 of said Todd and Others Addition; Thence Southeasterly, along the Easterly line of Lots 366 through 371 of said Todd and Others Addition and along the Southeasterly extension thereof to a point on the North line of Linden Street; Thence Southwesterly, along the Northerly line of said Linden Street to the Southwest corner of Block 2 of Wolf's Addition to the City of Edwardsville, as recorded in Plat Book 6, Page 57 in said Recorder's Office; Thence Westerly to the Southeasterly corner of Block 3 of said Wolf's Addition; Thence Southwesterly, to the Northeasterly corner of Lot 2 in Block 2 of Wolf's Subdivision; Thence southeasterly, along the



Easterly line of Lots 2 through 12 of said Block 2 of Wolf's Subdivision, to the Southeast corner of said Lot 12; Thence southwesterly, along the Southeasterly line of said Lot 12 to a point on the Northerly extension of the easterly line of Lot 1 of Block 5 of said Wolf's Subdivision; Thence Southeasterly, to the Northeast corner of said Lot 1. of Block 5 of Wolf's Subdivision; Thence Southeasterly to the Southeast corner of said Lot 1 of Block 5 of Wolf's Subdivision; Thence Southwesterly, along the Southerly line of said Block 5 of Wolf's Subdivision, a distance of 610 feet; Thence South with a deflection angle to the left of 81 Degrees, for a distance of 245 feet to a corner of Outlet 2 of Wolf's Subdivision; Thence Northeasterly, a distance of 219.5 feet to a corner of said Outlet 2 of Wolf's Subdivision; Thence southeasterly, along the Northerly line of said Outlet 2 and along the Easterly extension thereof, to a point on the Northwestern line of the Chicago and Northwestern Railroad; Thence Northeasterly, along said Northwestern line of the Chicago and Northwestern Railroad to a point on the South line of the Southeast Quarter of Section 11, Township 4 North, Range 8 West of the Third Principal Meridian; Thence Easterly, along said South line of the southeast Quarter of Section 11, to a point on the Northwestern line of Lot 1 of Rosenthal's Resubdivision as recorded in Plat Book 23, Page 77 in said Recorder's Office; Thence Northeasterly, along said Northwestern line of Rosenthal's Resubdivision to the Southwest corner of Lot 7 said Rosenthal's Resubdivision; Thence Easterly, along the south line of said Lot 7 of Rosenthal's Resubdivision and along the Easterly extension thereof to a point on the Southwesterly line of lot 4 in Block 4 of Leclaire; Thence Northwesterly to the Northwest corner of said Lot 4 of Block 4 of Leclaire; Thence Northeasterly, a distance of 208.2 feet to the Northeast corner of Lot 1 of said Block 4 of Leclaire; Thence Southerly, along the Easterly line of said Lot 1 to a point on the Westerly extension of the South line of Lot 30 of Block 1 of Leclaire; Thence Easterly, along said South line of Lot 30 of Block 1 of Leclaire to a corner of said Lot 30; Thence Northerly to the Northwest corner of Lot 1 of Block 3 of said Leclaire; Thence Northeasterly, along the Northwestern line of said Lot 1 of Block 3 of Leclaire and along the Northeasterly extension thereof to a point on the Easterly line of Hale Street; Thence Northerly, along said Easterly line of Hale Street to the Northwest corner of Lot 21 in Block 1 of said Leclaire; Thence Northeasterly, along the Northwestern line of said Lot 21 of Block 1 in Leclaire and along the Northeasterly extension thereof to a point on West line of Block 1 of Metcalf Place as recorded in Plat Book 6, Page 1 in said Recorder's Office; Thence North to the Northwest corner of Lot 1 in said Block 1 of Metcalf Place; Thence North to the Southwest corner of Lot 12 of the Subdivision of Block 11 of Metcalf Place Known As Logan Place as recorded in Plat Book 6, Page 1 in said Recorder's Office; Thence North to the Northwest corner of Lot 8 of said Logan Place; Thence West to the southwest corner of Lot 10 'of Block 2 of Cloverleaf Addition as recorded in Plat Book 5, page 81 in said Recorder's office; Thence North to the intersection of the West line of said Block 2 of Cloverleaf Addition and the Easterly extension of the North line of Wolf Street; Thence Westerly, along the North line of said Wolf street, to the Southeasterly line of the Norfolk and Northwestern Railroad; Thence Northeasterly, along said Southeasterly line of the Norfolk and Northwestern Railroad, to the East line of said Southeast Quarter of section 11; Thence North, along said East line of said Southeast Quarter of Section 11, to the Northwestern line of said Norfolk and Northwestern Railroad; Thence Northeasterly, along said North line of the Norfolk and Northwestern Railroad, to the East line of Springer Avenue; Thence North, along said East line of Springer Avenue to a point on the Easterly extension of the North line of Lot 14 of Oakland Addition as recorded in Plat Book 5, Page 27 in said Recorder's Office; Thence westerly, along said North line of Lot 14 of Oakland Addition, to the Northwest corner of said Lot 14; Thence North, along the West line of Lots 1 thru 13 of said Oakland Addition, to the Northwest corner of Lot 1 of said Oakland Addition; Thence Northwesterly to the Southeast corner of Lot 82 of Erastus Wheeler's Addition as recorded in Plat Book 20, Page 59 in said Recorder's Office, said point being on the Northwestern line of Vandalia Street; Thence Southwesterly, along said Northwestern line of said Vandalia Street to intersection of said Northwestern line of Vandalia street and the Northerly extension of the west line of South Brown Avenue; Thence south, along said West line of south Brown Avenue, to the Southeast corner of Lot 56 of w. E. Wheeler's Addition as recorded in Plat Book 20, Page 70 in said Recorder's Office; Thence Southwesterly, along the Southeast line of said Lot 56 of w. E. Wheeler's Addition to a point on the Northerly extension of the East line of tract of land conveyed to Della Wagner in deed Book 1187, Page 522, said line being 75 feet of uniform width off the West side of Lots 42 and 43 of said W. E. Wheeler's

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Addition; Thence Southerly, along said East line of Wagner tract to the most Northerly corner of a tract of land acquired by the Litchfield and Madison Railroad from W. Z. Schmidt by condemnation dated July 14, 1906 and recorded in Record Book 4, Page 478 in the Madison county Circuit Clerk's Office and identified as Parcel No. 19; Thence Southwesterly, along the Northwesterly line of said Litchfield and Madison Railroad tract to a point on the North line of Lot 41 of said W. E. Wheeler's Addition; Thence Westerly to the Northwest corner of Lot 41 of said W. E. Wheeler's Addition; Thence South, along the West line of said Lot 41 and along the West line of Lot 40 of said W. E. Wheeler's Addition to a point on the Northwesterly line of the Chicago and Northwestern Railroad (formerly Litchfield and Madison Railroad); Thence Southwesterly, along said Northwesterly line of the Chicago and Northwestern Railroad, to a point on the North line of Wolf Street; Thence westerly, along said North line of said Wolf Street to the Southwest corner of Lot 8 of said W. E. Wheeler's Addition said point being on the Easterly line of a 20 foot wide alley; Thence Northwesterly, along said Easterly line of a 20 foot wide alley to the intersection of said Easterly line of the 20 foot wide alley and the Southeasterly line of Park street; Thence Northeasterly to the intersection of said Southeasterly line of Park Street and the Easterly line of Fillmore Street; Thence Northwesterly to the intersection of said Easterly line of said Fillmore Street and the Northwesterly line of Vandalia Street; Thence Southwesterly to the intersection of said Northwesterly line of Vandalia Street and the Northeasterly line of North Buchanan Street; Thence Northwesterly along said Northeasterly line of Buchanan Street to a point on the Northeasterly extension of the southeasterly line of a tract of land conveyed to The Bank of Edwardsville by warranty Deed in Trust as recorded in Deed Book 3505, Page 1766 in said Recorder's Office; Thence Southwesterly, along said Southeasterly line of The Bank of Edwardsville tract, to a point on the Northeasterly line of John Reynold's Subdivision of Lot 78 of said Erastus Wheeler's Addition as recorded in Plat Book 4, Page 15 and recopied in Plat Book 19, Page 36 in said Recorder's Office; Thence Southeasterly, along said Northeasterly line John Reynold's subdivision and along the Northeasterly line of Lot 77 of said Erastus Wheeler's Addition to the Southeast corner of said Lot 77 of Erastus Wheeler's Addition; Thence southwesterly along the Southeasterly line of said Lot 77, a distance of 50 feet to the Northeast corner; of Lot 70 of said Erastus Wheeler' Addition; Thence Southeasterly, along the Northeasterly line of said Lot 70 to a point being 60 feet Northwesterly of the Northwesterly line of Vandalia Street; Thence Southwesterly, along a line being 60 feet Northwesterly of and parallel with said Northwesterly line of Vandalia Street to the Northeasterly line of Kansas Street; Thence Northwesterly, along said Northeasterly line of Kansas Street to Southeast corner of said Kansas Street and Hillsboro Avenue; Thence Northwesterly to the Northeast corner of said Kansas Street and Hillsboro Avenue; Thence Southwesterly, along the Northwesterly line of said Hillsboro Avenue, to a point 216 feet Northeasterly of the intersection of said Northwesterly line of Hillsboro Avenue with the Northeasterly line of Main Street; Thence Northwesterly and parallel with Main Street, a distance of 100 feet to a point; Thence Northeasterly and parallel with said Hillsboro Avenue, a distance of 75 feet to a point; thence Northwesterly and parallel with said Main Street, a distance of 238.4 feet, more or less to a point on the Southeasterly line of a 25 foot wide alleyway; Thence Northeasterly, along said Southeasterly line of the 25 foot wide alleyway to a point on the Southeasterly extension of the Northeasterly line of Lot 9 of said Pogue's Resubdivision; Thence Northwesterly, along said Southeasterly extended Northeasterly line of Lot 9 to the most Easterly corner of said Lot 9; Thence Southwesterly, along the Southeasterly line of said Lot 9, to a point on the Southwesterly line of the Northeasterly 50 feet of said Lot 9; Thence Northwesterly, along said Southwesterly line of the Northeasterly 50 feet of Lot 9 and the extension thereof of, to a point on the Northwesterly line of College Street; Thence Southwesterly, along said Northwesterly line of College street and along the Southwesterly extension thereof, to a point on the Southwesterly line of Main Street; Thence Southeasterly, along said Southwesterly line of Main Street to the intersection of said Southwesterly line of Main Street with said Northwesterly line of St. Louis Street; Thence Northeasterly, along the extension of the Northwesterly line of said St. Louis Street to the point of beginning.

Excepting from the above described boundary, the following described tract of land:

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A tract of land situated in Lots 205, 207 and 209 of the Original Town (now City) of Edwardsville, Madison County, Illinois, and more fully described as follows: Beginning at the intersection of the Northeasterly line of Main street and the Northwesterly line of Hillsboro Avenue in the City of Edwardsville; Thence Northeasterly along the said Northwesterly line of Hillsboro Avenue, a distance of 115.0 feet; Thence Northwesterly and parallel to said Northeasterly line of Main Street, a distance of 70.4 feet; Thence Northeasterly a distance of 35.0 feet to a point 150.0 feet from Main Street and 70.43 feet from Hillsboro Avenue; Thence Northwesterly and parallel to Main street, a distance of 20.57 feet; Thence Southwesterly and parallel to Hillsboro Avenue, a distance of 150 feet to said Northeasterly line of Main street; Thence Southeasterly, along said Northeasterly line of Main street, a distance of 91 feet, more or less, to the point of beginning.

Addition to boundary:

Part of the northeast Quarter of Section 11, Township 4 North, Range 8 West of the Third Principal Meridian, City of Edwardsville, Madison County, Illinois, described as follows:

Beginning at the southwest corner of a tract of land as described in Document #2015R15817 of Madison county records, also being the northeasterly right of way of Main Street; thence northeasterly, along the northwest line of said tract of land, 189 feet to the southwest line of a tract of land as described in Book 4634 on Page 1294 of said Madison County Records; thence northwesterly, along said southwest line, 20 feet to the southwest corner of said tract of land; thence northeasterly along the northwesterly line of said tract of land, 87 feet to the northwest corner said tract of land as described in the aforementioned Book 4634 on Page 1294 of said Madison County Records; thence southeasterly, along the northeasterly line of said tract of land and the northeasterly line of tracts of lands as described in Document #2007R20904, 117 feet to the most easterly corner of said tracts; thence southwesterly, 265 feet to the aforementioned northeasterly right of way of Main Street; thence northwesterly, along said right of way, 100 feet to the POINT OF BEGINNING.

Parcel 2

Part of the City of Edwardsville Corporate Limits located in Sections 2, 3, and 11, Township 4 North, Range 8 West of the Third Principal Meridian, Madison County, Illinois, being more particularly described as follows:

Beginning at the intersection of the southwest right of way line of North Second Street and the south right of way line of Phillipena Street; thence westwardly along the south right of way line of Phillipena Street and its westerly prolongation to the east right of way line of the Norfolk and Western Railroad; thence northwestwardly and perpendicular to the centerline of said railroad to the west right of way line thereof; thence northeastwardly along said northwest right of way line to the southwest line of a tract conveyed to Mota Inc. by deed recorded in Book 2972 on page 1745 of the Madison County records; thence westwardly, northwardly, and westwardly along the southerly line of said Mato tract and its westerly prolongation to the west right of way line of Old Alton Edwardsville Road; thence northeastwardly along said west right of way line and its northerly prolongation to the old centerline of Cahokia Creek; thence eastwardly along said centerline to the northeasterly prolongation of the northwest line of Lot 142 of the Original Town of Edwardsville; thence southwestwardly along said prolongation to the northernmost corner of Lot 142; thence southeastwardly along the northeast line of the Original Town of Edwardsville to the northwest corner of Lot 8 of the Original Town of Edwardsville; thence northeastwardly along the prolongation of the northwest line of Lot 8 to the northeast right of way line of Liberty Street; thence southeastwardly along said northeast right of way line to the west line of a tract conveyed to Carver by deed recorded in Book 3666 on page 557 of the Madison County records; thence northeasterly along the northwestern line of said Carver tract to the northern corner thereof; thence southeastwardly along the northeasterly line of said Carver tract to the northeasterly corner thereof; thence southwesterly along the southeasterly line of said Carver tract to the northeast line of the Original Town of Edwardsville; thence southeastwardly along said

northeast line to the southeast right of way line of East Union Street; thence southwestwardly along said right of way line to the southwest line of a tract conveyed to Ebert by deed recorded in Book 4396 on page 316 of the Madison County records; thence southeastwardly along the southwest line of said Ebert tract to the southernmost corner thereof; thence northeasterly along the southeast line of said Ebert tract to the southwest line of a tract conveyed to Carver by deed recorded in Book 3507 on page 389 of the Madison County records; thence southeastwardly along said southwest line and its prolongation to the east right of way line of H Street; thence southwestwardly along said east right of way line to the southwest line of a tract conveyed to JAS Properties, Inc. by deed recorded as Document 2007R12201 of the Madison County records; thence southeasterly along said southwest line to the southeast line of said JAS Properties tract; thence northeasterly along said southeast line to the northeast line of the Original Town of Edwardsville; thence southeasterly along the northeast line of said Original Town of Edwardsville to the easterly right of way line of F Street; thence northeastwardly along the westerly line of a tract conveyed to Immanuel United Methodist Church by deed recorded in book 2980 of page 1104 of the Madison County records to the northeastern line thereof; thence southeastwardly along the northeast line of said tract, along the northeasterly line of a tract conveyed to Lantz and Lantz Inc. by deed recorded in Book 3679 on page 1626 of the Madison County records, and along the northeast line of a tract conveyed to Duncan Properties by deed recorded as Document 2007R30929 of the Madison County records to the easternmost corner thereof; thence southwestwardly along the southeast line of said Duncan Properties tract to the northeast line of a tract conveyed to Allen by deed recorded in Book 3293 on page 2219 of the Madison County records; thence southeastwardly along said northeast line to the easterly corner thereof; thence southwestwardly along the southeast line of said Allen tract to the northeast line of a tract conveyed to Tompkins LLC by deed recorded as Document 2006R06218 of the Madison County records; thence southeastwardly along said northeast line and its easterly prolongation to the easterly right of way line of Dunn Street; thence southwestwardly along said easterly right of way line to the northeast line of a tract conveyed to Mindrup Trust by deed recorded as Document 2006R17690 of the Madison County records; thence southeastwardly along said northeast line and its prolongation to the east right of way line of Abner Place; thence northeasterly along said easterly right of way line to the northeast line of a tract conveyed to Nash by deed recorded in Book 3553 on page 341 of the Madison County records; thence southeastwardly along said northeast line and along the northeast line of a tract conveyed to The City of Edwardsville by deed recorded in Book 3169 on page 206 of the Madison County records to the northwest line of a tract conveyed to the City of Edwardsville by deed recorded in Book 1064 on page 135 of the Madison County records; thence northeasterly along said northwest line to the northernmost corner thereof; thence southeasterly along the northeasterly line of said tract and its prolongation to the east right of way line of East High Street; thence northeasterly along said east right of way line to the northeasterly line of a tract conveyed to Weber Funeral Home, Inc by deed recorded in Book 3374 on page 962 of the Madison County records; thence southeastwardly along said northeasterly line to the southeasterly line of a tract conveyed to Bruce by deed recorded as Document 2006R28298 of the Madison County records; thence northeasterly along said southeasterly line to the northeastern line of said Weber Funeral Home, Inc tract; thence southeastwardly along said northeasterly line to the northernmost corner of Lot 7 of Maryland Addition as shown by Plat Book 9 on page 35 of the Madison County records; thence southwestwardly along the northwest lines of Lots 7 and 6 of said subdivision to the westernmost corner of Lot 6; thence southeastwardly along the southwest line of Lot 6 to the west right of way line of East College Street; thence southwestwardly along said west right of way line and its prolongation to the southwest right of way line of North Main Street; thence southeastwardly along said southwest right of way line to the east right of way line of West College Street; thence southwestwardly along said east right of way line to the southwest line of a tract conveyed to 241 LLC by deed recorded in Book 4618 on page 6171 of the Madison County records; thence southeastwardly along said southwest line to the southernmost corner thereof; thence northeastwardly along the southeast line of said tract to the southwest corner of a tract conveyed to 241 LLC by deed recorded as Document 2004R51613 of the Madison County records; thence southeastwardly along the southwest line of said tract to the southernmost corner thereof; thence northeastwardly along the southeast line of said tract to the southwest right of way line of North Main Street; thence southeastwardly along said southwest right



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of way line to the northernmost corner of a tract conveyed to Madison County by deed recorded in Book 3081 on page 1283 of the Madison County records; thence southwestwardly along the northwest line of said Madison County tract to the northeast right of way line of North Second Street; thence southeastwardly along said right of way line to the westerly right of way line of St. Louis Street; thence southwestwardly along said westerly right of way line to the northerly right of way line of Randle Street; thence westwardly along said north right of way line to the easterly corner of a tract conveyed to Madison County by deed recorded in Book 3214 on page 893 of the Madison County records; thence northwestwardly along the northeast line of said tract to the easterly corner of a tract conveyed to Madison County by deed recorded in Book 3072 on page 146 of the Madison County records; thence southwestwardly, northwestwardly, and westwardly along the southerly line of said tract and its westerly prolongation to the west right of way line of Clay Street; thence northwardly along said west right of way line to the north right of way line of West High Street; thence eastwardly along said north right of way line to a right of way deflection; thence northeastwardly along the westerly right of way line of West High Street to the southwestly right of way line of North Second Street; thence northwestwardly along said southwestly right of way line to the point of beginning.

### Parcel 3

Beginning at the North right of way line of Pontoon Road and the West line of Lot 58 of Nameoki Gardens Subdivision, PB. 14, PG. 50, in Section 3 of Township 3 North, Range 9 West of the Third Principal Meridian, Madison County, Illinois; thence North 392 feet to the Northwest corner of said Lot 58; thence East 539 feet to the West line of Lot 53 in said Subdivision; thence South 196 feet to a point; thence East to the Southwest corner of Lot 2 of Walnut Grove Subdivision, PB. 62, PG. 181; thence along said Lot 2, North, East and South to the intersection with the Southwest corner of Lot E in the Resubdivision of Part Lots 16, 17 18 of Nameoki Gardens, PB. 23, PG. 10; thence East along said Lot line to the West right of way of Breckenridge lane; thence South 18 feet to a point; thence East 145 feet to the West line of a tract described in Document 2008R55530; thence North and East along said tract and the Easterly extension to the West line of a tract described in Document 2017R36834; thence North and East along said tract and the Easterly extension to the West right of way of Lake Drive; thence Southwestly along said right of way 175 feet to a point; thence Southeasterly to the Northwest corner of a tract described in Document 2022R00652; thence Southeasterly and Southerly along said tract to the North right of way of Pontoon Road; thence Easterly along said right of way to the intersection with the Southerly extension of the West line of a tract owned by the Village of Pontoon Beach described in document 2017R18336; thence North along said extension and the West line of said tract to the Northwest corner of said tract; thence East along said tract to the East right of way line of Kaseberg Lane; thence Northeasterly along said right of way to the Southwest corner of Lot 7 of Pontoon Place Subdivision, PB 23, PG. 79; thence Southeasterly to the most Southerly corner of said Lot; thence Northeasterly along the East line of said Lot and the Northeasterly extension to the South line of the Pontoon Place Re-Subdivision of Lots 13 & 16, PB. 23, PG. 156; thence East along said Subdivision to the intersection with the West line of Lot 33 in said Subdivision; thence South 50 feet to a point; thence East to the West line of a tract described in Document 2007R03892; thence North to the South right of way of Kasenberg Lane; thence East to the intersection with State Route 111; thence South along said State Route 111 to the intersection with the Easterly extension of the South line of a tract described in Document 2015R08561; thence West to the Southeast corner of said tract; thence Westerly and Northwestly along said tract and the Northwestly extension to the centerline of a vacated street platted in Pontoon Place Re-Subdivision of Lots 13 & 16, PB. 23, PG. 156; thence Southwestly along said vacated street to the East line of a tract described in Document 2016R43366; thence Southeasterly along said tract and a tract described in Book 3135, Page 1203 to the Southeast corner thereof; thence Southwestly along said tract to the Southwest corner of said tract; thence Northwest along said tract to the Southeast corner of Lot 1 of Robert Place Subdivision, PC. 52, PG. 78; thence Southwestly along said tract and the Southwestly extension to the East line of Pontoon Beach Subdivision, PB. 22, PG. 24; thence Northerly along said Subdivision to the Southeast corner of Lot 7 in said Subdivision; thence West and North along said Lot 7 to the South right of way of Pontoon Road; thence West along said right



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of way to the West right of way of Lake Drive; thence South along said right of way to the Southeast corner of Lot 4 in Gaslight 1<sup>st</sup> Addition, PB. 37, PG. 58; thence Westerly along the South line of said Lot 4 to the Southeast corner of the Resubdivision of Lot 1 of Oakmont Plaza Subdivision, PC. 63, PG. 249; thence Westerly and Northerly along said Subdivision to the Northeast corner of Lot 2 of Oakmont Plaza Subdivision, PC. 54, PG. 142; thence West along the North line of said Lot and the Westerly extension to the East right of way of Oakmont Drive; thence North along said right of way 108 feet to a point; thence West to the Southwest corner of Lot 2 of Lakeshire 3<sup>rd</sup> Addition, PB. 35, PG. 69; thence North along said lot and the Northerly extension to the North right of way of Pontoon Road; thence West along said right of way to the intersection with the North extension of the East line of a tract described in Document 2020R22379; thence South 346 feet to a point; thence West 175 feet to a point; thence North 43 feet to a point; thence West 106 feet to the East line of Lot 1 in Billings 3<sup>rd</sup> Subdivision, PB. 59, PG. 82; thence South and West to the East right of way line of Cargill Road; thence North along said East line and the North extension to the North right of way line of Pontoon Road; thence West 74 feet to the POB.

All Subdivisions and Documents located in the above descriptions are recorded in the Madison County Recorder of Deeds Office, Madison County, IL.

EXHIBIT B  
GATEWAY COMMERCE CENTER ENTERPRISE ZONE  
AMENDED BOUNDARY DESCRIPTION

Original Enterprise Zone & Addition 1

A tract of land being a part of Section 13, 23, 24, 25, 26, 27, 35 and 36 in Township 4 North, Range 9 West of the Third Principal Meridian all in Madison County, Illinois, being more particularly described as follows: commencing at the Southeast corner of said Section 27, thence Northwardly along the East line of said Section 27, a distance of 1,500 feet, more or less, to the Northwest corner of "Paradise Acres" as the same is recorded in Plat Book 21 on Page 47 in the Madison County, Illinois, Recorder's records and the point of beginning of the tract of land herein described; thence continuing Northwardly along said East section line, a distance of 1,275 feet, more or less, to the Southeast corner of the Northeast Quarter of said Section 27; thence Westward along the South line of said Northeast Quarter Section, a distance of 1,570.03 feet, more or less, to the Southeasterly right-of-way line of the old Illinois Terminal Railroad; thence Northwestwardly and perpendicular to said Southeasterly right-of-way line, a distance of 120 feet, more or less, to the Northwesterly right-of-way line of the Norfolk and Western Railroad, thence Northeastwardly along said Northwesterly right-of-way line, a distance of 13,250 feet, more or less, to its intersection with the West right-of-way line of F.A.R. Route 310 (255); thence Southwardly along said Westerly right-of-way line, a distance of 11,740 feet, more or less, to the Northerly right-of-way of F.A.I. Route 270 at centerline Station 1629 + 81.53 – 655' North; thence Westerly following said North right-of-way line of F.A.I. Route 270, to the Westerly right-of-way line at State Route 111; thence North along said Westerly right-of-way line a distance of 126.71 feet, more or less; thence Northwesterly along said right-of-way line, a distance of 72.55 feet to the South right-of-way line of U.S. Route 66 (Chain of Rocks Road); thence along said right-of-way the following courses and distances, West a distance of 270.0 feet, more or less; thence North a distance of 10 feet, more or less; thence West 178.31 feet, more or less, to the Northwest corner of a tract conveyed to Camelot Investment Co., Inc., by deed recorded in Book 3750, Page 346, in the Recorder's Office, Madison County, Illinois; thence Southerly along the West line of said tract and the Southerly prolongation of said line, a distance of 672.22 feet, more or less, to a point on the Northerly line of right-of-way line of F.A.I. Route 270; thence Southwesterly and Westerly along said North right-of-way line to the Southeast corner of a tract conveyed to Madison County Metro-East Transit District by deed recorded in Book 3517, Page 1077 (Parcel 1); thence North along the East line of said tract a distance of 216 feet; thence in a Northwesterly direction along the Northeasterly line of said tract and the Northwesterly prolongation of said line a distance of 450.93 feet more or less, to the Northeast corner of a tract conveyed

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to Madison County Metro-East Transit District by deed recorded in Book 3217, Page 1077 (Parcel 2); thence West along the North line of said tract a distance of 402.50 feet more or less, to the Southeast corner of a tract conveyed to Pepsi Cola Bottling Company of St. Louis, Inc. by deed recorded in Book 3856, Page 1690, in the aforesaid Recorder's Office; thence North along the East line of said tract a distance of 630.87 feet more or less, to a point on the South right-of-way line of U.S. Route 66, a distance of 617 feet, more or less, to the Northwest corner of a tract conveyed to Systems Central, Inc., by deed recorded in Book 3349, Page 1925; thence South along the West line of said tract, a distance of 250 feet, more or less, to the Southwest corner of said tract, thence East along the South line of said tract, a distance of 224.5 feet, more or less, to the Southeast corner of said tract; thence North 250 feet, more or less, to a point on the South line of U.S. Route 66 thence East along the South line of U.S. Route 66, a distance of 45 feet, more or less, to a point that is the intersection of said South right-of-way line with the Southerly prolongation of West line of a tract conveyed to Ann Manns in Deed Book 3980, on Page 1862, in said Recorder's records; thence Northwardly along said prolongation and West line of said Manns land, a distance of 1,543.70 feet to the Northwesterly corner thereof; thence Westerly along the Southerly line of land conveyed to Richard C. Bauer and Marie A. Frizzell in Deed Book 3220, on Page 215, in said Recorder's records, a distance of 1,802.51 feet, more or less, to the point of beginning and containing 1,768 Acres, more or less.

### **Addition 2**

Also, an eight foot wide strip of land being a part of Sections 23 and 14 in Township 4 North, Range 9 West of the Third Principal Meridian, Madison County, Illinois, the East line of said strip being more particularly described as follows:

An eight foot wide strip (as measured at right angles to) lying adjacent to and West of the West right-of-way line of Illinois State Route 111, the beginning point of the East line of said strip being at the intersection of the Northwesterly right-of-way of Norfolk & Western Railroad and the West right-of-way line of Illinois State Route 111; thence North along said West right-of-way line to a point 2,903 feet more or less South of the center line of New Poag Road (F.A.S. Route 765), said point also being the Southeast corner of the 90.95 acre tract described below.

Also, a tract of land in the Southwest Quarter of Section 14 and the Northwest Quarter of Section 23, all in Township 4 North, Range 9 West of the Third Principal Meridian, Madison County, Illinois, being more particularly described as follows:

Commencing at the center of said Section 14; thence North 86 degrees 22 minutes 13 seconds West (assumed bearing) along the Northerly line of said Southwest Quarter Section, a distance of 162.05 feet; thence South 03 degrees 37 minutes 47 seconds West, a distance of 82.52 feet to a point on the Southerly right-of-way line of F.A.S. Route 765 (a/k/a New Poag Road) and the Point of Beginning of the tract of land hereinafter described; thence South 48 degrees 07 minutes 13 seconds East along said Southerly right-of-way line, a distance of 112.26 feet to the Westerly right-of-way line of Illinois Route 111; thence Southerly along said Westerly right-of-way line the following courses and distances, South 00 degrees 38 minutes 24 seconds East, a distance of 1,724.00 feet; thence South 89 degrees 21 minutes 36 seconds West, a distance of 65.00 feet; thence South 00 degrees 38 minutes 24 seconds East, a distance of 1,025.30 feet; thence South 89 degrees 21 minutes 36 seconds West and leaving said right-of-way line, a distance of 425.55 feet; thence North 58 degrees 42 minutes 20 seconds West, a distance of 788.84 feet; thence North 00 degrees 38 minutes 24 seconds West, a distance of 1,046.57 feet; thence South 89 degrees 21 minutes 36 seconds West, a distance of 766.82 feet to a point in the center line of Madison County Drainage Ditch; thence in a generally Northeasterly direction along said center line the following courses and distances; North 00 degrees 19 minutes 21 seconds East, a distance of 351.36 feet; thence North 24 degrees 37 minutes 37 seconds East, a distance of 347.04 feet; thence North 19 degrees 25 minutes 58 seconds East, a distance of 260.07 feet; thence North 01 degrees 17 minutes 01 seconds East, a distance of 503.58 feet to the said

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Southerly right-of-way line of F.A.S. Route 765; thence South 86 degrees 25 minutes 34 seconds East along said Southerly right of way line, a distance 82.38 feet; thence South 88 degrees 54 minutes 41 seconds East along said Southerly right-of-way line, a distance of 1,502.41 feet to the Point of Beginning, containing 3,961,657 square feet or 90.95 Acres, more or less, and subject to easements, rights, restrictions and agreements or record of existence.

### **Addition 3**

Also, an eight foot wide strip of land being a part of Section 35 in Township 4 North, Range 9 West of the Third Principal Meridian, Madison County, Illinois, the East line of said strip being more particularly described as follows:

An eight foot wide strip (as measured at right angles to) lying adjacent to and West of the West right-of-way line of Illinois State Route 111, the beginning point of the East line of said strip being at the intersection of the Northerly right-of-way of Interstate 270 and the Southeast corner of a tract conveyed to Madison County Metro-East Transit District by deed recorded in Book 3517, Page 1077 (Parcel 1); thence South, 207 feet, more or less to the Southerly right-of-way line of Interstate 270; thence southeasterly and southerly along the southerly right-of-way line of Interstate 270 and the west right-of-way line of Illinois Route 111 a distance of 2980 feet more or less to the point of termination, said point being the Northeast corner of the 70,000 square feet tract described below, and containing 25,496 square feet more or less.

Also a tract of land being a part of the West Half of Section 35, Township 4 North, Range 9 West of the Third Principal Meridian, Village of Pontoon Beach, Madison County, Illinois described as follows:

Commencing at the Southwest corner of the Northwest  $\frac{1}{4}$  of the Southwest  $\frac{1}{4}$  of Section 35; thence North 00 degrees 06 minutes 18 seconds East (bearing assumed) along the West line of said Northwest  $\frac{1}{4}$  of the Southwest  $\frac{1}{4}$ , 50.02 feet to the Westerly extension of the North right-of-way line of Engineers Road; thence South 88 degrees 22 minutes 32 seconds East collinear with said North right-of-way line of Engineers Road, 949.62 feet; thence continuing along said North right-of-way line of Engineers Road North 01 degrees 37 minutes 28 seconds East, 2.00 feet; thence continuing along said North right-of-way line of Engineers Road South 89 degrees 53 minutes 57 seconds East, 222.03 feet, to the point of beginning; thence continuing along said North right-of-way line of Engineers Road South 89 degrees 53 minutes 57 seconds East, 234.53 feet to the West right-of-way line of Illinois Route 111; thence along a curve on said West right-of-way line of Illinois Route 111 having a radius point to the Southeast, a radial distance of 4167.66 feet, a chord bearing North 16 degrees 54 minutes 56 seconds East, and a chord distance of 267.69 feet; thence North 88 degrees 22 minutes 32 seconds West, 305.04 feet; thence South 01 degrees 37 minutes 28 seconds West, 264.45 feet to the point of beginning. Containing 70,000 square feet, more or less.

### **Addition 4**

Also an eight foot wide strip of land being a part of Section 13, Township 4 North Range 9 West and a part of Sections 15, 16, and 18, US Survey 596, U.S. Survey 589 and U.S. Survey 587 in Township 4 North Range 8 West, all in the Third Principal Meridian, Madison County Illinois, the center line of said eight foot wide strip being more fully described as follows:

Beginning at the intersection of the west right of way line of F.A.R 310 (255) with a point 4 feet southeasterly of, measured at right angles, from the southeasterly right of way line of the Norfolk and Western Railroad; thence northeasterly along a line 4 feet southeasterly of and parallel with said Norfolk and Western Railroad right of way to a point located 4 feet west of, measured at right angles, from the east right of way line of said F.A.R. 310 (255); thence northerly along a line 4 feet westerly of and parallel with said east right of way line of F.A.R. 310 (255) to a point located 4 feet north of , measured at right angles

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from the south right of way line of New Poag Road; thence easterly along a line 4 feet north of and parallel with the said south right of way line of New Poag Road to a point located 4 feet west of, measured at right angles, from the easterly right of way line of Stadium Drive (Bluff Road); thence southerly along a line 4 feet westerly of and parallel with said easterly right of way line of Stadium Drive to a point located 4 feet north of measured at right angles from the westerly extension of south line of said Section 16; thence east along a line 4 feet north of and parallel with the south line of said section 16 to a point located 4 feet west of, measured at right angles, from the east line of said Section 16; thence north along a line of 4 feet west of and parallel with the east line of said Section 16 to a point located 4 feet north of, measured at right angles, from the north edge of pavement of the west bound lanes of University Park Drive; thence easterly along a line 4 feet north of and parallel with said north edge of pavement of the west bound lanes of University Park Drive to a point on the west right of way line of Illinois Route 157 and the termination point of said center line.

Also a tract of land being a part of the Southwest Quarter of Section 15 Township 4 North Range 8 West of the Third Principal Meridian, Madison County, Illinois more fully described as follows:

Commencing at a stone found at the Northwest corner of the Southwest Quarter of said Section 15; thence South 89 degrees 51 minutes 15 seconds East (assumed bearing) along the north line of said Southwest Quarter, 491.01 feet; thence South 01 degrees 10 minutes 54 seconds East, 1318.91 feet to the Point of Beginning of the tract herein described; thence North 88 degrees 21 minutes 29 seconds East, 243.01 feet; thence North 54 degrees 13 minutes 56 seconds East, 310.37 feet; thence North 86 degrees 46 minutes 21 seconds East, 542.65 feet; thence South 05 degrees 39 minutes 59 seconds East, 316.12 feet; thence South 88 degrees 35 minutes 55 seconds West, 195.85 feet to a point of curve located on the existing north edge of pavement of the westbound lanes of University Park Drive; thence along the north edge of pavement the following five (5) courses and distances: 1) thence southwesterly, 112.77 feet on a curve to the left having a radius of 440.31 feet, the chord of said curve bears South 81 degrees 15 minutes 43 seconds West, 112.46 feet to a point of compound curve; 2) thence southwesterly 129.23 feet on a curve to the left having a radius of 518.91 feet, the chord of said curve bears South 66 degrees 47 minutes 26 seconds West, 128.89 feet to a point of compound curve; 3) thence southwesterly, 252.76 feet on a curve to the left having a radius of 654.03 feet, the chord of said curve bears South 48 degrees 35 minutes 05 seconds West, 251.19 feet to a point of reverse curve; 4) thence southwesterly 372.30 feet on a curve to the right having a radius of 397.32 feet, the chord of said curve bears South 64 degrees 21 minutes 26 seconds West, 358.83 feet to a point of tangent; 5) thence North 88 degrees 47 minutes 55 seconds West, 120.45 feet; thence North 01 degrees 10 minutes 54 seconds West, 487.35 feet to the Point of Beginning.

Said tract containing 10.00 acres, more or less.

Less and except the southerly 8 feet of the above described tract lying north of and adjacent to the north edge of pavement of the westbound lanes of University Park Drive above.

### Addition 5

A tract of land being part of Sections 14, 15, 22 & 23 of Township 4 North, Range 9 West of the Third Principal Meridian, Madison County, Illinois, being more particularly described as follows:

Commencing at the center of said Section 14; thence North 86 degrees 22 minutes 13 seconds West, a distance of 162.05 feet; thence South 3 degrees 37 minutes 47 seconds West, a distance of 82.52 feet to a point on the southerly right of way line of New Poag Road (varying width); thence along said southerly right of way line, North 88 degrees 54 minutes 41 seconds West, a distance of 1,502.41 feet; thence North 86 degrees 25 minutes 34 seconds West, a distance of 82.38 feet to the Point of Beginning of the herein described tract of land; thence South 1 degree 17 minutes 01 seconds West, a distance of 292.88 feet; thence

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North 90 degrees 00 minutes 00 seconds West, a distance of 473.57 feet; thence South 0 degrees 48 minutes 43 seconds East, a distance of 3,435.60 feet; thence South 20 degrees 19 minutes 37 seconds East, a distance of 161.07 feet more or less to a point on the south line of the Northwest Quarter of the Northwest Quarter of Section 23; thence North 87 degrees 15 minutes 40 seconds West, along said south line, a distance of 474.40 feet more or less to a point on the west line of said Section 23; thence South 35 degrees 06 minutes 07 seconds West, a distance of 3,947.93 feet; thence South 5 degrees 16 minutes 35 seconds West, a distance of 630.20 feet more or less to a point on the south line of Section 22; thence North 88 degrees 11 minutes 33 seconds West, along said south line a distance of 76.21 feet more or less to a point on the Easterly Right-of-Way line of the Penn Central, Gulf Mobil & Ohio and Gateway Western Railroad (varying width); thence along said Easterly Right-of-Way the following courses and distances: North 5 degrees 16 minutes 35 seconds East, a distance of 633.21 feet; South 84 degrees 43 minutes 25 seconds East, a distance of 40.00 feet; North 5 degrees 16 minutes 35 seconds East, a distance of 3,280.76 feet to a point of curve to the left having a radius of 5,697.22 feet; thence northwesterly along said curve, an arc distance of 1,380.79 feet more or less to a point on the north line of Section 23; thence North 88 degrees 11 minutes 33 seconds West, along said north line, a distance of 14.43 feet to a point on a non-tangent curve to the left having a radius of 5,197.46 feet and a chord bearing North 9 degrees 43 minutes 41 seconds West; thence northwesterly along said curve, an arc distance of 28.21 feet; thence North 8 degrees 16 minutes 36 seconds West, a distance of 22.71 feet; thence leaving said Right-of-Way line, South 88 degrees 11 minutes 33 seconds East, a distance of 152.35 feet; thence North 8 degrees 16 minutes 36 seconds West, a distance of 101.57 feet; thence North 88 degrees 11 minutes 33 seconds West, a distance of 152.35 feet more or less to a point on the Easterly Right-of-Way line of the Penn Central, Gulf Mobil & Ohio and Gateway Western Railroad, as aforementioned; thence along said Right-of-Way, North 8 degrees 05 minutes 19 seconds West, 2,290.40 feet more or less to a point on the Southerly Right-of-Way line of New Poag Road; thence along said Southerly Right-of-Way line, South 89 degrees 50 minutes 04 seconds East, a distance of 140.38 feet to an angle point therein; thence North 83 degrees 23 minutes 36 seconds East, a distance of 805.62 feet to an angle point therein; thence South 89 degrees 24 minutes 28 seconds East, a distance of 1,339.48 feet more or less to the point on the Westerly Right-of-Way line of Oldenburg Road; South 4 degrees 27 minutes 04 seconds East, a distance of 184.69 feet; thence South 89 degrees 12 minutes 24 seconds East, 50.00 feet; thence North 6 degrees 19 minutes 26 seconds East, 185.08 feet more or less to a point on the Southerly Right-of-Way line of New Poag Road; thence along said Southerly Right-of-Way line South 86 degrees 25 minutes 34 seconds East, a distance of 890.27 feet to the Point of Beginning and containing 307 acres, more or less.

Excepting thereforom the following described tract of land:

Commencing at the center of said Section 14; thence North 86 degrees 22 minutes 13 seconds West, a distance of 162.05 feet; thence South 3 degrees 37 minutes 47 seconds West, a distance of 82.52 feet to a point on the Southerly Right-of-Way line of New Poag Road (varying width); thence along said Southerly Right-of-Way line, North 88 degrees 54 minutes 41 seconds West, a distance of 1,502.41 feet; thence North 86 degrees 25 minutes 34 seconds West, 972.65 feet; thence South 6 degrees 19 minutes 26 seconds West, a distance of 185.08 feet; thence North 89 degrees 12 minutes 24 seconds West, a distance of 50.00 feet to a point; thence North 4 degrees 27 minutes 04 seconds West, a distance of 184.69 feet to a point on the Westerly Right-of-Way line of Oldenburg Road; thence South 0 degrees 48 minutes 43 seconds East, a distance of 1,075.44 feet to the Point of Beginning of the herein described tract of land; thence South 89 degrees 11 minutes 17 seconds West, a distance of 711.97 feet; thence South 0 degrees 00 minutes 00 seconds West, a distance of 608.26 feet; thence South 89 degrees 45 minutes 53 seconds East, a distance of 720.71 feet; thence North 0 degrees 48 minutes 43 seconds West, a distance of 621.37 feet to the Point of Beginning and containing 10 acres, more or less.



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Also, on eight foot wide strip of land being a part of Sections 35 and 36 in Township 4 North, Range 9 West of the Third Principal Meridian, Madison County, Illinois, the centerline of said eight foot wide strip being more particularly described as follows:

Beginning at the intersection of the north right-of-way line of FAI Route 270 with the east line of said Section 35; thence south along said line to the south right-of-way line of said FAI Route 270 and the Point of Termination of said centerline.

Also, A tract of land situated in the County of Madison and the State of Illinois, being that part of Sections 35 and 36, Township 4 North, Range 9 West, lying east of the right-of-way of Illinois Route 111, width varies, South of the right-of-way of Interstate Route 270, width varies and west of the right-of-way of interstate Route 255, width varies and being more particularly described as follows:

Beginning at a found iron pipe marking the Southeast Corner of said Section 35; thence along the South line of said Section 35. North 88 degrees 32 minutes 09 seconds West, a distance of 3905.63 feet to a set 5/8 inch iron rod marking the intersection of said South line and the Eastern right-of-way line of said Illinois Route 111; thence along said Eastern right-of-way line as follows: North 00 degrees 54 minutes 44 seconds West, a distance of 254.60 feet to a found concrete monument; 982.85 feet, along the arc of a curve to the right, having a radius of 4017.66 feet, through a central angle of 14 degrees 00 minutes 59 seconds, with a chord that bears North 06 degrees 05 minutes 45 seconds East, a distance of 980.40 feet to a set 1/2 inch iron rod; South 76 degrees 53 minutes 45 seconds East, a distance of 65.00 feet to a set 1/2 inch iron rod; 895.70 feet, along the arc of a curve to the right, having a radius of 3952.66 feet, through a central angle of 12 degrees 59 minutes 01 seconds, with a chord that bears North 19 degrees 35 minutes 45 seconds East, a distance of 893.78 feet to a set 1/2 inch iron rod; North 26 degrees 05 minutes 16 seconds East, a distance of 922.58 feet to a set 1/2 inch iron rod; North 45 degrees 45 minutes 13 seconds East, a distance of 380.34 feet to a set 1/2 inch iron rod; North 74 degrees 08 minutes 18 seconds East, a distance of 572.78 feet to a set 1/2 inch iron rod; North 41 degrees 38 minutes 57 seconds East, a distance of 539.07 feet to a set 1/2 inch iron rod; North 67 degrees 44 minutes 04 seconds East, a distance of 279.91 feet to a 1/2 inch iron rod set on said South right-of-way line of Interstate Route 270; thence along said southern right-of-way line; South 88 degrees 50 minutes 40 seconds East, a distance of 2195.11 feet to a set 1/2 inch iron rod; South 86 degrees 10 minutes 22 seconds East, a distance of 700.22 feet to a set 1/2 inch iron rod; North 00 degrees 14 minutes 15 seconds West, a distance of 52.66 feet to a set 1/2 inch iron rod. South 88 degrees 50 minutes 40 seconds East, a distance of 50.79 feet to a 1/2 inch iron rod set on said west right-of-way line of Interstate Route 255; thence along said west right-of-way line, South 85 degrees 50 minutes 41 seconds East, a distance of 136.63 feet to a set 1/2 inch iron rod; South 86 degrees 56 minutes 06 seconds East, a distance of 644.95 feet to a set 1/2 inch iron rod; South 76 degrees 08 minutes 24 seconds East, a distance of 256.27 feet to a set 1/2 inch iron rod; South 57 degrees 52 minutes 51 seconds East, a distance of 291.55 feet to a set 1/2 inch iron rod; South 44 degrees 52 minutes 51 seconds East, a distance of 38.71 feet to a set 1/2 inch iron rod; South 01 degrees 09 minutes 04 seconds East, a distance of 53.17 feet to a set 1/2 inch iron rod; thence South 45 degrees 41 minutes 32 seconds East, a distance of 109.66 feet to a found concrete right-of-way marker; South 36 degrees 01 minutes 45 seconds East, a distance of 182.00 feet to a found concrete right-of-way marker; South 28 degrees 28 minutes 09 seconds East, a distance of 1,698.82 feet to a set 1/2 inch iron rod; South 10 degrees 22 minutes 33 seconds East, a distance of 177.55 feet to a set 1/2 inch iron rod; thence South 03 degrees 43 minutes 59 seconds East, a distance of 836.21 feet to a set 1/2 inch iron rod; South 00 degrees 38 minutes 54 seconds East, a distance of 712.79 feet to a set 1/2 inch iron rod; South 02 degrees 48 minutes 09 seconds East, a distance of 194.46 feet to a set 5/8 inch iron rod marking the intersection of said west right-of-way line and the south line of said Section 36; thence along said south line North 88 degrees 18 minutes 46 seconds West, a distance of 1,106.48 feet to a set 5/8 inch iron rod marking the South Quarter Corner of said Section 36; thence continuing along said south line; North 88 degrees 34 minutes 55 seconds West, a distance of 2,647.61 feet to the Point of Beginning.

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Containing 596.044 acres, according to a survey by J. R. Grimes Consulting Engineers, Inc., Dated September 2006.

Addition 7 Part 1

A tract of land in the Southwest Quarter of Section 14 in Township 4 North, Range 9 West of the Third Principal Meridian, Madison County, Illinois, being more particularly described as follows:

Commencing at the center of said Section 14; thence North 86 degrees 22 minutes 13 seconds West (assumed bearing) along the Northerly line of said Southwest Quarter Section, a distance of 162.05 feet; thence South 03 degrees 37 minutes 47 seconds West, a distance of 82.52 feet to a point on the Southerly right of way line of F.A.S. Route 765 (a/k/a New Poag Road); thence North 88 degrees 54 minutes 41 seconds West, along said right of way, a distance of 1502.41 feet; thence North 86 degrees 25 minutes 34 seconds West, along said right of way, a distance of 82.38 feet to the northeasterly corner of a tract of land as described in deed book 2005R on page 51077 of the Madison County records; thence South 1 degree 17 minutes 1 second West, along the easterly line of said tract also being the westerly boundary of a previous addition to the Gateway Enterprise Zone in June of 2005 and labeled "Addition 2", a distance of 292.88 feet to the POINT OF BEGINNING of the tract herein described; thence southerly continuing along the easterly line of said tract the following courses and distances. South 1 degree 17 minutes 1 second West a distance of 210.70 feet; South 19 degrees 25 minutes 58 seconds West a distance of 260.07 feet; South 24 degrees 37 minutes 37 seconds West a distance of 347.04 feet; South 0 degrees 19 minutes 21 seconds West a distance of 708.71 feet; Around a tangent curve to the left having a radius of 775.00 feet, an arc length of 172.37 feet and a chord that bears South 6 degrees 2 minutes 57 seconds East a distance of 172.02 feet; thence leaving said easterly line around a non-tangent curve to the right having a radius of 275.00 feet, an arc length of 279.78 feet and a chord that bears South 57 degrees 42 minutes 5 seconds West a distance of 267.87 feet to the easterly boundary of a previous addition to the Gateway Enterprise Zone in June of 2005 and labeled "Addition 5"; thence North 0 degrees 48 minutes 43 seconds; West, along said easterly boundary, a distance of 1794.44 feet; thence East, continuing along said boundary, a distance of 473.57 feet to the point of beginning, containing 512,802 square feet or 11.77 acres, more or less, in Madison County, Illinois.

Addition 7 Part 2

A tract of land being part of Section 22, 23, and 27 all in Township 4 North, Range 9 West of the Third Principal Meridian, Madison County, Illinois, being more particularly described as follows:

All that part of Section 22 lying easterly of the existing easterly boundary of the Gateway Enterprise Zone as dedicated in June of 2005 and westerly of the westerly right of way line of the Missouri Pacific Railroad.

All that part of Section 23 lying southerly of the south line of the North Half of the Northwest Quarter of said Section 23 westerly of the westerly right of way line of the Missouri Pacific Railroad.

All that part of Section 27 lying easterly of the easterly right of way line of the Gateway Eastern Railway Co. and westerly of the westerly right of way line of the Missouri Pacific Railroad containing 8,510,753 square feet or 195.38 acres, more or less, in Madison County, Illinois according to legal description by Crawford, Murphy, & Tilly, Inc., Consulting Engineers dated December 2006.

Addition 8

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An eight (8) foot wide strip of land being a part of Sections 17, 8, 9 and 4 in Township 4 North, Range 8 West of the Third Principal Meridian, Madison County, Illinois, the centerline of said eight (8) foot strip being more particularly described as follows:

Commencing at the intersection of the southerly right of way line of New Poag Road with the easterly right of way line of Stadium Drive (Bluff Road); thence northwesterly, as measured normally to said southerly right of way line of New Poag Road, four (4) feet to the Point of Beginning of said eight (8) foot wide strip herein described; thence in a generally northeasterly direction along a line four (4) feet northerly of and parallel with said southerly right of way line of New Poag Road to a point four (4) foot east of the southerly prolongation of the west right of way line of North University Drive (F.A.S. 770); thence northerly along a line four (4) foot east of, as measured normally to, and parallel with said west right of way line of North University Drive and its southerly prolongation to a point four (4) foot north of, as measured normally to, the southerly right of way line of the former S.B.I. 159; thence northwesterly four (4) foot northerly of, as measured normally to, and parallel with said southerly right of way line of former S.B.I. 159 to the Point of Termination on the said west right of way line of North University Drive and containing 2.7646 acres, more or less.

Also, a tract of land in the Northwest Quarter of Section 4, Township 4 North, Range 8 West and the Southwest Quarter of Section 33, Township 5 North, Range 8 West, of the Third Principal Meridian, Madison County, Illinois, more particularly described as follows:

Beginning at the intersection of the west line of the Southeast Quarter of said Southwest Quarter of Section 33 and the southerly right of way line of F.A. 50 (State Route 143); thence in a generally southeasterly direction along said southerly right of way line of F.A. 50 and the westerly right of way line of F.A.S. 770 (North University Drive) to the intersection of said westerly right of way line of F.A.S. 770 with the southerly right of way line of former S.B.I. 159; thence northwesterly along said southerly right of way line of former S.B.I. 159 being also the northerly right of way line of the former Illinois Terminal Railroad to its intersection with the southerly prolongation of said west line of the Southeast Quarter of the Southwest Quarter of Section 33; thence northerly along said southerly prolongation and west line to the Point of Beginning and containing 12.012 acres, more or less.

### Addition 9

An eight (8) foot wide strip of land being a part of Sections 4, 3, 2, 11 and 12 in Township 4 North, Range 8 West and Sections 7, 18, 17 and 16 in Township 4 North, Range 7 West of the Third Principal Meridian, Madison County, Illinois, the centerline of said eight (8) foot wide strip being more particularly described as follows:

Commencing at the intersection of the Westerly right of way line of North University Drive (F.A.S. 770) with the Northerly right of way line of former S.B.I. Route 159, thence Northerly along said Westerly right of way line to a point 4 feet Northerly of, as measured normally to, said Northerly right of way line of former S.B.I. Route 159 and the Point of Beginning of the centerline herein described; thence Southeasterly and parallel to said Northerly right of way line to a point 4 feet west of, as measured normally to, the Easterly right of way line of said North University Drive (F.A.S. 770); thence Northerly along a line parallel to said Easterly right of way line to a point 4 feet north of, as measured normally to, the Southerly right of way line of State Route 143; thence in a generally Southeasterly direction along a line 4 feet Northerly of, as measured normally to, the Southerly right of way line of said Route 143 (passing through the City of Edwardsville on N. Main Street, Vandalia Street and Marine Road) to a point 4 foot Northerly of, as measured normally to, said Southerly right of way line at a point 4 foot East of, as measured normally to, its intersection with the Northerly prolongation of the East right of way line of Staunton Road (S.A.R. 31); thence Southerly 4 feet, more or less, along a line 4 foot East of, as measured normally to, the Northerly

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prolongation of said East right of way line to the Point of Termination on said Southerly right of way line of said State Route 143 and containing 7.0 acres more or less.

Also, a tract of land being part of the South ½ of Section 16, Township 4 North, Range 7 West of the Third Principal Meridian being part of a tract of land conveyed to Florist Mutual Insurance Company, in Madison County, Illinois being more particularly described as follows:

Beginning at the intersection of the Southern right of way line of State Highway 143 (variable width) (F.A.R. 6) and the Western right of way line of Merkel's Street (50' wide); thence along the Western right of way line of Merkel's Street and the extension thereof, South 00 degrees 19 minutes 23 seconds East a distance of 295.27 feet to a point; thence leaving said line, South 50 degrees 40 minutes 02 seconds West a distance of 334.04 feet to a point; thence South 89 degrees 54 minutes 05 seconds West a distance of 285.06 feet to a point on the proposed access easement known as Horticultural Lane (variable width); thence along said proposed access easement along a curve to the left having a radius of 155.00 feet, an arc length of 367.34 feet and a chord bearing and distance of North 79 degrees 09 minutes 02 seconds West, 287.21 feet; thence along a curve to the right having a radius of 120.00 feet, an arc length of 119.27 feet and a chord bearing and distance of South 61 degrees 25 minutes 44 seconds West, 114.42 feet to a point; thence continuing along said proposed access easement, South 89 degrees 54 minutes 05 seconds West a distance of 338.12 feet to a point; thence along a curve to the right having a radius of 32.00 feet, an arc length of 49.89 feet and a chord bearing and distance of North 45 degrees 26 minutes 18 seconds West, 44.99 feet to a point on the Eastern right of way line of Staunton Road (County Highway 21) (80' wide); thence along said Eastern right of way line North 00 degrees 46 minutes 41 seconds West a distance of 371.93 feet to a point on the Southern right of way line as dedicated per Deed Book 4426 Page 912; thence along the Southeast line of the dedication, North 38 degrees 03 minutes 01 seconds East a distance of 77.90 feet to a point on the Southern right of way line of State Highway 143 (variable width) F.A.R. 6); thence along said right of way line North 76 degrees 52 minutes 43 seconds East a distance of 94.91 feet to a point; thence continuing along said right of way, North 88 degrees 53 minutes 42 seconds East a distance of 1159.32 feet to the point of beginning containing 582,710 square feet or 13.377 acres more or less.

#### Addition 10

A tract of land in Fractional Sections 19 and 30 in Township 4 North, Range 8 West and Sections 24 and 25 in Township 4 North, Range 9 West of the Third Principal Meridian, Madison County, Illinois, and being more particularly described as follows:

Beginning at the intersection of the North line of said Section 25 with the westerly right-of-way line of F.A.R. Route 310 (Illinois State Route 255), as originally established, and being also the east line of the original "Gateway Commerce Center Enterprise Zone", said point of intersection being 155 feet west of the highway centerline; thence South 87° 42' 37" East along said North section line, a distance of 495 feet, more or less, to its intersection with the Easterly right-of-way line of said highway as now exists; thence along last said Easterly line the following courses and distances; thence North 14 degrees 31 minutes 55 seconds East 493.04 feet; thence North 50 degrees 36 minutes 00 seconds East 49.67 feet; thence South 60 degrees 28 minutes 00 seconds East 548.45 feet; thence North 29 degrees 32 minutes 00 seconds East 205.00 feet; thence North 60 degrees 28 minutes 00 seconds West 548.45 feet; thence North 09 degrees 27 minutes 23 seconds West 128.66 feet; thence North 14 degrees 31 minutes 55 seconds East 72.60 feet to a point of curvature to the left- said curve having a radius of 620.00 feet; thence in a Northerly direction along last said curve an arc distance of 431.12 feet to a point of tangency; thence North 25 degrees 18 minutes 31 seconds West 702.72 feet to a point of curvature to the right, said curve having a radius of 710.00 feet; thence in a Northwesterly direction along last said curve an arc distance of 294.00 feet to a point of tangency; thence North 01 degrees 35 minutes 00 seconds West 390.62 feet to a point of curvature to the left, said curve having a radius of 10,346.96 feet; thence in a Northerly direction along last said curve an

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arc distance of 769.09 feet; thence departing last said curve North 17 degrees 28 minutes 59 seconds West 169.23 feet; thence North 07 degrees 25 minutes 42 seconds West 904.51 feet; thence North 05 degrees 10 minutes 26 seconds West 598.42 feet; thence North 01 degrees 43 minutes 49 seconds West 198.53 feet; thence North 00 degrees 17 minutes 10 seconds West 56.11 feet to the Southerly line of a tract of land formerly conveyed to Fred E. Allen by deed recorded in Book 312 Page 112 in the Madison County, Illinois, Recorder's records; thence along said Southerly line South 89 degrees 46 degrees 09 seconds East 1278.21 feet to the Northerly line of said Section 24; thence along said Northerly line South 86 degrees 26 minutes 54 seconds East 339.47 feet to the Northeast corner of said Section 24; thence along the Westerly line of Fractional Section 19; South 00 degrees 09 minutes 18 seconds West 210.29 feet to the centerline of a ditch; thence departing said Westerly line and along centerline of said ditch the following courses and distances; thence South 27 degrees 55 minutes 55 seconds East 211.10 feet; thence South 22 degrees 02 minutes 40 seconds East 477.10 feet to a point of curvature to the left; thence along said curve to the left having a radius of 208.00 feet to an arc distance of 183.22 feet to a point of tangency; thence South 72 degrees 30 minutes 50 seconds East 285.39 feet to a point of curvature to the right; thence along said curve to the right having a radius of 150.00 feet an arc distance of 185.38 feet to a point of tangency; thence South 01 degrees 42 minutes 08 seconds East 91.60 feet; thence departing said centerline of ditch North 88 degrees 38 minutes 45 seconds East 11.75 feet to the Northwesternly line of a tract of land formerly conveyed to James and Patricia Harmon by deed recorded in Deed Book 3322 page 614 of said records; thence along the Westerly line of said Harmon Tract and the Westerly line of a tract of land formerly conveyed to Lida Theis and to the State of Illinois the following courses and distances; thence South 00 degrees 49 minutes 20 seconds East 1360.84 feet; thence South 00 degrees 50 minutes 20 seconds East 1313.42 feet; thence along the Northerly line of the South one-half of the South one-half of above said Fractional Section 19 North 89 degrees 33 minutes 31 seconds East 2119.38 feet to the Northwesternly corner of a tract of land formerly conveyed to Thomas and Donna Haetzel by deed recorded in Deed Book 3023 Page 540 of the Madison County Records; thence along the Westerly line of said Haetzel Tract and the Westerly and Southerly line of a tract formerly conveyed to Brenda Ropac by deed recorded in Deed Book 3359 Page 1128 of said records the following courses and distances; thence South 00 degrees 50 minutes 23 seconds East 954.35 feet; thence North 89 degrees 27 minutes 32 seconds East 593.92 feet to the centerline of Sand Road 50 feet wide; thence along said centerline South 00 degrees 50 minutes 46 seconds East 239.54 feet to the Northeastly earner of a tract of land formerly conveyed to Everett and Gladys Burgan by deed recorded in Deed Book 3093 Page 991 of said records; thence along the Northerly and Westerly lines of said Burgan tract the following courses and distances; thence South 89 degrees 27 minutes 06 seconds West 290.80 feet; thence South 00 degrees 50 minutes 46 seconds East 150.59 feet to the Southerly line of said Fractional Section 19; thence along said Southerly line South 89 degrees 21 minutes 19 seconds West 1040.82 feet to the Northeastly corner of the Northwest one-quarter of above mentioned Fractional Section 30; thence along the Easterly line of said Northwest one-quarter South 00 degrees 51 minutes 52 seconds East 2698.99 feet to the Southerly line of said Northwest one-quarter; thence along said Southerly line North 89 degrees 08 minutes 13 seconds West 245.21 feet to the Easterly line of the County Ditch Drainage and Levee District right-of-way 75 feet wide, as field located in June, 1999; thence South 22 degrees 40 minutes 09 seconds East 1750 feet; more or less, to a point of curvature to the left; thence along said curve to the left having a radius of 912.50 feet an arc distance of 506.08 feet to a point of reverse curvature to right; thence along said curve to the right having a radius of 437.50 feet an arc distance of 270.37 feet to a point of tangency; thence South 19 degrees 02 minutes 17 seconds East 322.03 feet to the Northerly line of Chain of Rocks Road, Route 66 By-Pass as conveyed to the State of Illinois Department of Public Works, Division of Highways by deed recorded in Book 702 Page 368 of said records; thence along said Northerly line the following courses and distances; thence North 89 degrees 16 minutes 36 seconds West 1014.51 feet; thence North 89 degrees 18 minutes 36 seconds West 1871.07 feet to the Easterly right-of-way of F.A.P. Route 310/Illinois State Route 255; thence along said Easterly line the following courses and distances; thence North 49 degrees 13 minutes 00 seconds West 169.10 feet; thence South 89 degrees 30 minutes 28 seconds West 362.92 feet; thence North 00 degrees 12 minutes 19 seconds East 628.94 feet; thence North 89 degrees 37 minutes 39 seconds West 1024.05 feet; thence North 66 degrees 45 minutes 51 seconds West 223.89



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feet; thence North 04 degrees 28 minutes 01 seconds West 716.75 feet; thence North 00 degrees 28 minutes 00 seconds West 280.00 feet; thence North 89 degrees 32 minutes 00 seconds East 245.00 feet; thence North 00 degrees 18 degrees 07 seconds West 1740.01 feet; thence South 89 degrees 32 minutes 00 seconds West 240.50 feet; thence North 00 degrees 28 minutes 00 seconds West 736.85 feet; thence North 03 degrees 32 minutes 00 seconds East 435.39 feet to a point of curvature to the right, said curve having a radius of 740.00 feet; thence along last said curve an arc distance of 142.05 feet to a point of tangency; thence North 14 degrees 31 minutes 55 seconds East, a distance of 441 feet, more or less to a point 8 feet South of, as measured normally to, the said North line of Section 25; thence North 87° 42' 37" West, 8 feet South of and parallel to said North section line, a distance of 495 feet, more or less, to the said West right-of-way line of said F.A.P. Route 310 (Illinois State Route 25); thence Northwesterly along said West right-of-way line, being also the Easterly line of the original Gateway Commerce Center Enterprise Zone, a distance of 8 feet, more or less, to the Point of Beginning. Containing 31,996,057 square feet or 734.53 acres, more or less.

### Addition 11

A tract of land in the West Half of Section 35 in Township 4 North, Range 9 West of the Third Principal Meridian, Village of Pontoon Beach, Madison County, Illinois described as follows:

Beginning at the Northwest corner of Lot 1 in "270 Commercial Park" as the same is shown in Plat Cabinet 63 at Page 240 in the Madison County, Illinois, Recorder's records said Northwest corner being also the Northwest corner of a 70,000 square foot parcel described in "Addition 3" to the original Gateway Commerce Center Enterprise Zone, thence North 01° 37' 28" East along the West line of Lot 4 in "270 Commercial Park – 1st Addition" as the same is shown in Plat Cabinet 65 at Page 191 in said Recorder's records, a distance of 26.46 feet to the Southeast corner of Lot 3 in said "270 Commercial Park – 1st Addition"; thence North 88° 22' 32" West along the South line of said Lot 3, a distance of 246.95 feet to the East right-of-way line of 270 Commercial Parkway; thence North 01° 37' 28" East along said East right-of-way line, a distance of 267.61 feet to the beginning of a curve to the right having a radius of 18.00 feet and a chord 14.60 feet in length bearing North 25° 33' 24" East; thence Northeasterly along said curve, an arc distance of 15.04 feet to the beginning of a curve to the left having a radius of 61.00 feet and a chord 19.51 feet in length bearing North 40° 17' 09" East; thence Northeasterly along said curve, an arc distance of 19.60 feet to the Northwesterly corner of said Lot 4; thence South 88° 22' 32" East along the North line of said Lot 4, a distance of 639.42 feet, more or less, to its intersection with a line running parallel with and 8.00 foot Westerly, as measured normally to, the West right-of-way line of Illinois Route 111; thence Southwesterly along said parallel line being on a curve to the left having a radius of 4,175.66 feet, an arc distance of 342.35 feet to the South line of said Lot 4 being also the North line of said 70,000 square foot parcel; thence North 88° 22' 32" West along the South line of said Lot 4 and North line of said 70,000 square foot parcel, a distance of 296.39 feet, more or less, to the Point of Beginning. Containing 186,223 square feet or 4.28 acres, more or less.

### Addition 12

A tract of land in part of Section 35 in Township 4 North, Range 9 West and Sections 2, 11 and 14 in Township 3 North, Range 9 West of the Third Principal Meridian, Madison County, Illinois, and being more particularly described as follows:

Beginning at the intersection of the South line of said Section 35 in Township 4 North, Range 9 West with the easterly right-of-way line of Illinois Route 111, and being also the southwest corner of "Addition 6" of the "Gateway Commerce Center Enterprise Zone"; thence southerly along the east right-of-way line of Illinois Route 111 through Section 2, 11 and 14 in Township 3 North, Range 9 West to the intersection with the west line of the southwest quarter of the southeast quarter of Section 14 in Township 3 North, Range 9

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West; thence north along said quarter, quarter line to the south right-of-way of the Illinois Terminal Railroad; thence southeasterly along said right-of-way to the east line of the southwest quarter of the southeast quarter of said Section 14; thence south along said line to the south line of said Section 14; thence west along said line to the intersection with the east right-of-way of Illinois Route 111; thence northerly along said right-of-way to a point that is 8 feet south of the intersection with the west line of the southwest quarter of the southeast quarter of said Section 14; thence west 8 feet to a point; thence northerly along a line that is parallel and 8 feet west of the east right-of-way line of Illinois Route 111, through Sections 14, 11 and 2 in Township 3 North, Range 9 West to the intersection with the south line of Section 35 in Township 4 North, Range 9 West; thence north 8 feet to a point; thence east 8 feet to the east right-of-way of Illinois Route 111; thence south 8 feet along said right-of-way to the Point of Beginning. Containing 995,528 square feet or 22.85 acres, more or less.

### Addition 13

A tract of land being part of a larger tract as conveyed to Florist Mutual Insurance Company by instrument recorded in Book 4382, page 2299 of the Madison County records, and including an 8 foot strip of land connecting this tract to the existing Enterprise Zone boundary located in the Northeast Quarter of the Southwest Quarter of Section 16, Township 4 North, Range 7 West, of the Third Principal Meridian, being more particularly described as follows:

Commencing at a found brass plug at the Northwest corner of the Southwest Quarter of above said Section 16; thence South 00 degrees 10 minutes 45 seconds East along the West line of the above said Southwest Quarter, 1339.76 feet to a found iron pipe; thence departing last said West line North 88 degrees 45 minutes 13 seconds East 1410.58 feet to a point on the East ROW line of Staunton Road (County Highway 21), 80 feet wide, said point also being the POINT OF BEGINNING of the herein described tract; thence along said ROW line North 00 degrees 46 minutes 41 seconds West along last said Easterly line 730.31 feet to a point; thence continuing North along said ROW line approximately 82 feet to the intersection with the existing Enterprise Zone boundary; thence Southeasterly along said existing Enterprise Zone boundary 8 feet; thence South 00 degrees to the intersection with the North line of a 50 foot wide roadway know as Horticultural Lane; thence Northeasterly along said roadway curvature to the right having a radius of 32.00 feet to a point; thence continuing along said Horticultural Lane North 89 degrees 54 minutes 05 seconds East, 336.65 feet to a point of curvature to the right having a radius of 120.01 feet; along said curve with an arc length of 119.27 feet and a chord which bears South 61 degrees 37 minutes 44 seconds East, 114.42 feet to the point of reverse curvature to the left having a radius of 155.00; along said curve with an arc length of 15.78 feet and a chord which bears South 36 degrees 04 minutes 21 seconds East, 15.77 feet; thence South 51 degrees 00 minutes 39 seconds West, 161.40 feet; thence South 00 degrees 46 minutes 41 seconds East, 587.00 feet to the South line of above said Florists Mutual Insurance Company Tract; thence along said South line, South 88 degrees 45 minutes 13 seconds West, 351.25 feet to the Point of Beginning containing 279,224 square feet or 6.41 acres more or less according to calculations performed by Stock and Associates Consulting Engineers, Inc. on February 9, 2016.

### Addition 14

Lot 1002 in Timberlake Square Subdivision, recorded in Plat Book 60, Page 44 conveyed to Pravin Patel by instrument recorded in document 2007R28132 of the Madison County records, located in the Southwest Quarter of Section 35, Township 4 North, Range 9 West, of the Third Principal Meridian, being more particularly described as follows:

BEGINNING at the Southwest corner of said Lot 1002 in Timberlake Square Subdivision and the North line of Timberlake Drive located in the Southwest Quarter of Section 35, Township 4 North, Range 9 West, said point is also the Southeast corner of Lot 1003 in said subdivision; thence North 202.00 feet along the

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West line of said Lot to the Northeast corner of said Lot 1003; thence West 301.38 feet along the North line of said Lot 1003 and the South line of said Lot 1002 to the Northwest corner of said Lot 1003; then North 239.10 feet to the Northwest corner of said Lot 1002; thence East 604.95 feet along the North line of said lot to the Northeast corner thereof; thence South 211.79 feet along a 4,167.66 radius curve and the East line of said Lot 1002 to a point; thence South 25.16 feet along said East line of said Lot 1002 to a point, said point is 8 feet North of the South line of said Lot 1002 and also on the West ROW line of Illinois Route 111; thence East 150 feet across Illinois Route 111 to the intersection with the existing Gateway Commerce Center Enterprise Zone boundary, said intersection is also the East ROW line of said road; thence South 8 feet along the East ROW line and Gateway Commerce Center Enterprise Zone boundary to a point; thence West 150 feet across said roadway to the Southeast corner of said Lot 1002, said point also the Northeast corner of Lot 1001 in said Subdivision; thence West 268.62 feet along the South line of said Lot 1002 and the North line of said Lot 1001 to the Northwest corner of said Lot 1001; thence South 202.00 feet along the West line of said Lot 1001 and East line of said Lot 1002 to the intersection with the North ROW line of Timberlake Drive, said point also the Southwest corner of said Lot 1001; thence West 30 feet to the Point of Beginning containing 152,723 square feet or 3.51 acres more or less.

### Addition 15

Part of the Southeast Quarter of Section 17, Township 4 North, Range 7 West of the Third Principal Meridian, Madison County, Illinois, described as follows:

Commencing at the Center of Section 17, Township 4 North Range 7 West of the Third Principal Meridian; thence South 00 Degrees 04 Minutes 59 Seconds East 151.86 feet to the Southerly line of right of way acquired by the State of Illinois Department of Transportation under order entered May 12, 1972 in condemnation proceedings filed in the Circuit Court of Madison County, IL, Case NO. 72-H-7, as shown in Road Record Book 11 on Pages 34, 35, and 37 in the Recorder's Office of Madison County and the Point of Beginning; thence along said right of way for the following Ten (10) Courses and Distances: 1) South 89 Degrees 24 Minutes 27 Seconds East, 1,017.21 feet; 2) South 84 Degrees 44 Minutes 39 Seconds East, 301.04 feet; 3) South 37 Degrees 47 Minutes 53 Seconds East, 242.07 feet; 4) South 47 Degrees 57 Minutes 28 Seconds East, 257.24 feet; 5) South 24 Degrees 54 Minutes 55 Seconds East, 250.00 feet; 6) South 01 Degree 32 Minutes 28 Seconds East, 257.10 feet; 7) South 11 Degrees 08 Minutes 10 Seconds West, 335.28 feet to the North line of the Southeast Quarter of said Southeast Quarter; 8) South 11 Degrees 08 Minutes 10 Seconds West, 364.80 feet; 9) South 06 Degrees 14 Minutes 39 Seconds West, 301.50 feet; 10) South 11 Degrees 57 Minutes 17 Seconds West, 691.68 feet to the South line of the Southeast Quarter of said Section 17; thence North 89 Degrees 22 Minutes 17 Seconds West, along said South line, 1,453.70 feet to the West line of the Southeast Quarter of said Section 17; thence North 00 Degrees 04 Minutes 59 Seconds West, along said West line, 2,532.71 feet to the aforementioned Southerly right of way line and the Point of Beginning, containing 4,084,878 square feet or 93.77 acres, more or less.

### Addition 16

#### Parcel 1

Part of the City of Edwardsville Corporate Limits located in Section 11 and 12, Township 4 North, Range 7 West of the Third Principal Meridian, Madison County, Illinois, described as follows:

Beginning at the intersection of the Northwesterly line of St. Louis Street with the Easterly line of Main street in the City of Edwardsville; Thence Southeasterly, along said Easterly line of Main Street, a distance of 71.5 feet to a point on the Northwesterly line of property owned by Edwardsville National Bank, as recorded in Book 3120, Page 2357 in the Recorder's Office of Madison County, Illinois; Thence Northeasterly, along said Northwesterly line of Edwardsville National Bank, a distance of 197 feet to a corner of said Edwardsville National Bank; Thence Northwesterly, along the Westerly line of said Edwardsville National Bank tract, a distance of 25 feet to a point on the Northwesterly line of outlet 1 of the Original Town of Edwardsville; Thence Northeasterly, along said Northwesterly line of Outlet 1, a

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distance of 90 feet to the Northeast corner of said outlet 1; Thence southeasterly, a distance of 114.7 feet to the Southeast corner of said Outlet 1; Thence Southwesterly, a distance of 265.2 feet to the Southwest corner of said Outlet 1, said point being on the Easterly line of said Main Street; Thence Southeasterly, along said Easterly line of Main Street, a distance of 382.4 feet to the North line of Vandalia street; Thence Southeasterly, a distance of 63 feet, more or less, to the Northwesterly corner of Lot 447 of Todd and Others, an Addition to the city of Edwardsville as recorded in Plat Book 6, Page 484 in said Recorder's Office; Thence Southeasterly, a distance of 150 feet to the Southwest corner of Lot 449 of said Todd and Others Addition; Thence Southwesterly, a distance of 50 feet to the Northeast corner of Lot 486 of said Todd and Others Addition; Thence southwesterly, a distance of 150 feet to the Northwest corner of said Lot 486; Thence Southeasterly, a distance of 150 feet to the Southwest corner of Lot 484 of said Todd and Others Addition; Thence Southeasterly, a distance of 50 feet to the Northwest corner of Lot 483 of said Todd and Others Addition; Thence Southwesterly to the Northeast corner of Lot 496 of said Todd and Others Addition; Thence Southeasterly, along the Easterly line of Lots 496 through 507 of said Todd and others Addition and along the Southerly extension thereof to a point on the Southeasterly line of Schwarz Street; Thence Northeasterly, along said Southeasterly line of Schwarz Street and the Easterly extension thereof to a point on the Northeasterly line of Main Street; Thence Northwesterly, to the intersection of said East line of Main Street and the South line of Schwarz Street; Thence Northeasterly, along the South line of Schwarz Street, to the Northwest corner of Lot 397 of said Todd and Others Addition; Thence Northwesterly, a distance of 50 feet, to the Southwest corner of Lot 398 of said Todd and Others Addition; Thence Northwesterly, along the Westerly of Lots 398 through 409 of said Todd and Others Addition, to the Northwest corner of said Lot 409; Thence Northeasterly, a distance of 150 feet to the Northeast corner of Lot 409; Thence Northeasterly, a distance of 50 feet to the Northwest corner of Lot 25 of said Todd and Others Addition; Thence Northeasterly, a distance of 150 feet to the Northeast corner of Lot 30 of said Todd and Others Addition; Thence Southeasterly, along the Easterly line of Lot 30 and along the Easterly line of Lots 357 through 365 of said Todd and Others Addition to the southeast corner of said Lot 365; Thence Southeasterly, a distance of 50 feet to the Northeasterly corner of Lot 366 of said Todd and Others Addition; Thence Southeasterly, along the Easterly line of Lots 366 through 371 of said Todd and Others Addition and along the Southeasterly extension thereof to a point on the North line of Linden Street; Thence Southwesterly, along the Northerly line of said Linden Street to the Southwest corner of Block 2 of Wolf's Addition to the City of Edwardsville, as recorded in Plat Book 6, Page 57 in said Recorder's Office; Thence Westerly to the Southeasterly corner of Block 3 of said Wolf's Addition; Thence Southwesterly, to the Northeasterly corner of Lot 2 in Block 2 of Wolf's Subdivision; Thence southeasterly, along the Easterly line of Lots 2 through 12 of said Block 2 of Wolf's Subdivision, to the Southeast corner of said Lot 12; Thence southwesterly, along the Southeasterly line of said Lot 12 to a point on the Northerly extension of the easterly line of Lot 1 of Block 5 of said Wolf's Subdivision; Thence Southeasterly, to the Northeast corner of said Lot 1 of Block 5 of Wolf's Subdivision; Thence Southeasterly to the Southeast corner of said Lot 1 of Block 5 of Wolf's Subdivision; Thence Southwesterly, along the Southerly line of said Block 5 of Wolf's Subdivision, a distance of 610 feet; Thence South with a deflection angle to the left of 81 Degrees, for a distance of 245 feet to a corner of Outlet 2 of Wolf's Subdivision; Thence Northeasterly, a distance of 219.5 feet to a corner of said Outlet 2 of Wolf's Subdivision; Thence southeasterly, along the Northerly line of said Outlet 2 and along the Easterly extension thereof, to a point on the Northwesterly line of the Chicago and Northwestern Railroad; Thence Northeasterly, along said Northwesterly line of the Chicago and Northwestern Railroad to a point on the South line of the Southeast Quarter of Section 11, Township 4 North, Range 8 West of the Third Principal Meridian; Thence Easterly, along said South line of the southeast Quarter of Section 11, to a point on the Northwesterly line of Lot 1 of Rosenthal's Resubdivision as recorded in Plat Book 23, Page 77 in said Recorder's Office; Thence Northeasterly, along said Northwesterly line of Rosenthal's Resubdivision to the Southwest corner of Lot 7 said Rosenthal's Resubdivision; Thence Easterly, along the south line of said Lot 7 of Rosenthal's Resubdivision and along the Easterly extension thereof to a point on the Southwesterly line of lot 4 in Block 4 of Leclair; Thence Northwesterly to the Northwest corner of said Lot 4 of Block 4 of Leclair; Thence Northeasterly, a distance of 208.2 feet to the Northeast corner of Lot 1 of said Block 4 of Leclair; Thence Southerly, along the



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Easterly line of said Lot 1 to a point on the Westerly extension of the South line of Lot 30 of Block 1 of Leclaire; Thence Easterly, along said South line of Lot 30 of Block 1 of Leclaire to a corner of said Lot 30; Thence Northerly to the Northwest corner of Lot 1 of Block 3 of said Leclaire; Thence Northeasterly, along the Northwesterly line of said Lot 1 of Block 3 of Leclaire and along the Northeasterly extension thereof to a point on the Easterly line of Hale Street; Thence Northerly, along said Easterly line of Hale Street to the Northwest corner of Lot 21 in Block 1 of said Leclaire; Thence Northeasterly, along the Northwesterly line of said Lot 21 of Block 1 in Leclaire and along the Northeasterly extension thereof to a point on West line of Block 1 of Metcalf Place as recorded in Plat Book 6, Page 1 in said Recorder's Office; Thence North to the Northwest corner of Lot 1 in said Block 1 of Metcalf Place; Thence North to the Southwest corner of Lot 12 of the Subdivision of Block 11 of Metcalf Place Known As Logan Place as recorded in Plat Book 6, Page 1 in said Recorder's Office; Thence North to the Northwest corner of Lot 8 of said Logan Place; Thence West to the southwest corner of Lot 10 of Block 2 of Cloverleaf Addition as recorded in Plat Book 5, page 81 in said Recorder's office; Thence North to the intersection of the West line of said Block 2 of Cloverleaf Addition and the Easterly extension of the North line of Wolf Street; Thence Westerly, along the North line of said Wolf street, to the Southeasterly line of the Norfolk and Northwestern Railroad; Thence Northeasterly, along said Southeasterly line of the Norfolk and Northwestern Railroad, to the East line of said Southeast Quarter of section 11; Thence North, along said East line of said Southeast Quarter of Section 11, to the Northwesterly line of said Norfolk and Northwestern Railroad; Thence Northeasterly, along said North line of the Norfolk and Northwestern Railroad, to the East line of Springer Avenue; Thence North, along said East line of Springer Avenue to a point on the Easterly extension of the North line of Lot 14 of Oakland Addition as recorded in Plat Book 5, Page 27 in said Recorder's Office; Thence westerly, along said North line of Lot 14 of Oakland Addition, to the Northwest corner of said Lot 14; Thence North, along the West line of Lots 1 thru 13 of said Oakland Addition, to the Northwest corner of Lot 1 of said Oakland Addition; Thence Northwesterly to the Southeast corner of Lot 82 of Erastus Wheeler's Addition as recorded in Plat Book 20, Page 59 in said Recorder's Office, said point being on the Northwesterly line of Vandalia Street; Thence Southwesterly, along said Northwesterly line of said Vandalia Street to intersection of said Northwesterly line of Vandalia street and the Northerly extension of the west line of South Brown Avenue; Thence south, along said West line of south Brown Avenue, to the Southeast corner of Lot 56 of w. E. Wheeler's Addition as recorded in Plat Book 20, Page 70 in said Recorder's Office; Thence Southwesterly, along the Southeast line of said Lot 56 of w. E. Wheeler's Addition to a point on the Northerly extension of the East line of tract of land conveyed to Della Wagner in deed Book 1187, Page 522, said line being 75 feet of uniform width off the West side of Lots 42 and 43 of said W. E. Wheeler's Addition; Thence Southerly, along said East line of Wagner tract to the most Northerly corner of a tract of land acquired by the Litchfield and Madison Railroad from W. Z. Schmidt by condemnation dated July 14, 1906 and recorded in Record Book 4, Page 478 in the Madison county Circuit Clerk's Office and identified as Parcel No. 19; Thence Southwesterly, along the Northwesterly line of said Litchfield and Madison Railroad tract to a point on the North line of Lot 41 of said W. E. Wheeler's Addition; Thence Westerly to the Northwest corner of Lot 41 of said w. E. Wheeler's Addition; Thence South, along the West line of said Lot 41 and along the West line of Lot 40 of said W. E. Wheeler's Addition to a point on the Northwesterly line of the Chicago and Northwestern Railroad (formerly Litchfield and Madison Railroad); Thence Southwesterly, along said Northwesterly line of the Chicago and Northwestern Railroad, to a point on the North line of Wolf Street; Thence westerly, along said North line of said Wolf Street to the Southwest corner of Lot 8 of said w. E. Wheeler's Addition said point being on the Easterly line of a 20 foot wide alley; Thence Northwesterly, along said Easterly line of a 20 foot wide alley to the intersection of said Easterly line of the 20 foot wide alley and the Southeasterly line of Park street; Thence Northeasterly to the intersection of said Southeasterly line of Park Street and the Easterly line of Fillmore Street; Thence Northwesterly to the intersection of said Easterly line of said Fillmore Street and the Northwesterly line of Vandalia Street; Thence Southwesterly to the intersection of said Northwesterly line of Vandalia Street and the Northeasterly line of North Buchanan Street; Thence Northwesterly along said Northeasterly line of Buchanan Street to a point on the Northeasterly extension of the southeasterly line of a tract of land conveyed to The Bank of Edwardsville by warranty Deed in Trust as recorded in Deed Book 3505, Page



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1766 in said Recorder's Office; Thence Southwesterly, along said Southeasterly line of The Bank of Edwardsville tract, to a point on the Northeasterly line of John Reynold's Subdivision of Lot 78 of said Erastus Wheeler's Addition as recorded in Plat Book 4, Page 15 and recopied in Plat Book 19, Page 36 in said Recorder's Office; Thence Southeasterly, along said Northeasterly line John Reynold's subdivision and along the Northeasterly line of Lot 77 of said Erastus Wheeler's Addition to the Southeast corner of said Lot 77 of Erastus Wheeler's Addition; Thence southwesterly along the Southeasterly line of said Lot 77, a distance of 50 feet to the Northeast corner; of Lot 70 of said Erastus Wheeler' Addition; Thence Southeasterly, along the Northeasterly line of said Lot 70 to a point being 60 feet Northwesterly of the Northwesterly line of Vandalia Street; Thence Southwesterly, along a line being 60 feet Northwesterly of and parallel with said Northwesterly line of Vandalia Street to the Northeasterly line of Kansas Street; Thence Northwesterly, along said Northeasterly line of Kansas Street to Southeast corner of said Kansas Street and Hillsboro Avenue; Thence Northwesterly to the Northeast corner of said Kansas Street and Hillsboro Avenue; Thence Southwesterly, along the Northwesterly line of said Hillsboro Avenue, to a point 216 feet Northeasterly of the intersection of said Northwesterly line of Hillsboro Avenue with the Northeasterly line of Main Street; Thence Northwesterly and parallel with Main Street, a distance of 100 feet to a point; Thence Northeasterly and parallel with said Hillsboro Avenue, a distance of 75 feet to a point; thence Northwesterly and parallel with said Main Street, a distance of 238.4 feet, more or less to a point on the Southeasterly line of a 25 foot wide alleyway; Thence Northeasterly, along said Southeasterly line of the 25 foot wide alleyway to a point on the Southeasterly extension of the Northeasterly line of Lot 9 of said Pogue's Resubdivision; Thence Northwesterly, along said Southeasterly extended Northeasterly line of Lot 9 to the most Easterly corner of said Lot 9; Thence Southwesterly, along the Southeasterly line of said Lot 9, to a point on the Southwesterly line of the Northeasterly 50 feet of said Lot 9; Thence Northwesterly, along said Southwesterly line of the Northeasterly 50 feet of Lot 9 and the extension thereof of, to a point on the Northwesterly line of College Street; Thence Southwesterly, along said Northwesterly line of College street and along the Southwesterly extension thereof, to a point on the Southwesterly line of Main Street; Thence Southeasterly, along said Southwesterly line of Main Street to the intersection of said Southwesterly line of Main Street with said Northwesterly line of st. Louis Street; Thence Northeasterly, along the extension of the Northwesterly line of said St. Louis Street to the point of beginning.

Excepting from the above described boundary, the following described tract of land:

A tract of land situated in Lots 205, 207 and 209 of the Original Town (now City) of Edwardsville, Madison County, Illinois, and more fully described as follows: Beginning at the intersection of the Northeasterly line of Main street and the Northwesterly line of Hillsboro Avenue in the City of Edwardsville; Thence Northeasterly along the said Northwesterly line of Hillsboro Avenue, a distance of 115.0 feet; Thence Northwesterly and parallel to said Northeasterly line of Main Street, a distance of 70.4 feet; Thence Northeasterly a distance of 35.0 feet to a point 150.0 feet from Main Street and 70.43 feet from Hillsboro Avenue; Thence Northwesterly and parallel to Main street, a distance of 20.57 feet; Thence Southwesterly and parallel to Hillsboro Avenue, a distance of 150 feet to said Northeasterly line of Main street; Thence Southeasterly, along said Northeasterly line of Main street, a distance of 91 feet, more or less, to the point of beginning.

Addition to boundary:

Part of the northeast Quarter of Section 11, Township 4 North, Range 8 West of the Third Principal Meridian, City of Edwardsville, Madison County, Illinois, described as follows:

Beginning at the southwest corner of a tract of land as described in Document #2015R15817 of Madison county records, also being the northeasterly right of way of Main Street; thence northeasterly, along the northwest line of said tract of land, 189 feet to the southwest line of a tract of land as described in Book 4634 on Page 1294 of said Madison County Records; thence northwesterly, along said southwest line, 20

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feet to the southwest corner of said tract of land; thence northeasterly along the northwesterly line of said tract of land, 87 feet to the northwest corner said tract of land as described in the aforementioned Book 4634 on Page 1294 of said Madison County Records; thence southeasterly, along the northeasterly line of said tract of land and the northeasterly line of tracts of lands as described in Document #2007R20904, 117 feet to the most easterly corner of said tracts; thence southwesterly, 265 feet to the aforementioned northeasterly right of way of Main Street; thence northwesterly, along said right of way, 100 feet to the POINT OF BEGINNING.

Parcel 2

Part of the City of Edwardsville Corporate Limits located in Sections 2, 3, and 11, Township 4 North, Range 8 West of the Third Principal Meridian, Madison County, Illinois, being more particularly described as follows:

Beginning at the intersection of the southwest right of way line of North Second Street and the south right of way line of Phillipena Street; thence westwardly along the south right of way line of Phillipena Street and its westerly prolongation to the east right of way line of the Norfolk and Western Railroad; thence northwestwardly and perpendicular to the centerline of said railroad to the west right of way line thereof; thence northeastwardly along said northwest right of way line to the southwest line of a tract conveyed to Mota Inc. by deed recorded in Book 2972 on page 1745 of the Madison County records; thence westwardly, northwardly, and westwardly along the southerly line of said Mato tract and its westerly prolongation to the west right of way line of Old Alton Edwardsville Road; thence northeastwardly along said west right of way line and its northerly prolongation to the old centerline of Cahokia Creek; thence eastwardly along said centerline to the northeasterly prolongation of the northwest line of Lot 142 of the Original Town of Edwardsville; thence southwestwardly along said prolongation to the northernmost corner of Lot 142; thence southeastwardly along the northeast line of the Original Town of Edwardsville to the northwest corner of Lot 8 of the Original Town of Edwardsville; thence northeastwardly along the prolongation of the northwest line of Lot 8 to the northeast right of way line of Liberty Street; thence southeastwardly along said northeast right of way line to the west line of a tract conveyed to Carver by deed recorded in Book 3666 on page 557 of the Madison County records; thence northeasterly along the northwestern line of said Carver tract to the northern corner thereof; thence southeastwardly along the northeasterly line of said Carver tract to the northeasterly corner thereof; thence southwesterly along the southeasterly line of said Carver tract to the northeast line of the Original Town of Edwardsville; thence southeastwardly along said northeast line to the southeast right of way line of East Union Street; thence southwestwardly along said right of way line to the southwest line of a tract conveyed to Ebert by deed recorded in Book 4396 on page 316 of the Madison County records; thence southeastwardly along the southwest line of said Ebert tract to the southernmost corner thereof; thence northeasterly along the southeast line of said Ebert tract to the southwest line of a tract conveyed to Carver by deed recorded in Book 3507 on page 389 of the Madison County records; thence southeastwardly along said southwest line and its prolongation to the east right of way line of H Street; thence southwestwardly along said east right of way line to the southwest line of a tract conveyed to JAS Properties, Inc. by deed recorded as Document 2007R12201 of the Madison County records; thence southeasterly along said southwest line to the southeast line of said JAS Properties tract; thence northeasterly along said southeast line to the northeast line of the Original Town of Edwardsville; thence southeasterly along the northeast line of said Original Town of Edwardsville to the easterly right of way line of F Street; thence northeastwardly along the westerly line of a tract conveyed to Immanuel United Methodist Church by deed recorded in book 2980 of page 1104 of the Madison County records to the northeastern line thereof; thence southeastwardly along the northeast line of said tract, along the northeasterly line of a tract conveyed to Lantz and Lantz Inc. by deed recorded in Book 3679 on page 1626 of the Madison County records, and along the northeast line of a tract conveyed to Duncan Properties by deed recorded as Document 2007R30929 of the Madison County records to the easternmost corner thereof; thence southwestwardly along the southeast line of said Duncan Properties tract to the northeast line of a tract conveyed to Allen by deed recorded in Book 3293 on page 2219 of the Madison County records;

thence southeastwardly along said northeast line to the easterly corner thereof; thence southwestwardly along the southeast line of said Allen tract to the northeast line of a tract conveyed to Tompkins LLC by deed recorded as Document 2006R06218 of the Madison County records; thence southeastwardly along said northeast line and its easterly prolongation to the easterly right of way line of Dunn Street; thence southwestwardly along said easterly right of way line to the northeast line of a tract conveyed to Mindrup Trust by deed recorded as Document 2006R17690 of the Madison County records; thence southeastwardly along said northeast line and its prolongation to the east right of way line of Abner Place; thence northeasterly along said easterly right of way line to the northeast line of a tract conveyed to Nash by deed recorded in Book 3553 on page 341 of the Madison County records; thence southeastwardly along said northeast line and along the northeast line of a tract conveyed to The City of Edwardsville by deed recorded in Book 3169 on page 206 of the Madison County records to the northwest line of a tract conveyed to the City of Edwardsville by deed recorded in Book 1064 on page 135 of the Madison County records; thence northeasterly along said northwest line to the northernmost corner thereof; thence southeasterly along the northeasterly line of said tract and its prolongation to the east right of way line of East High Street; thence northeasterly along said east right of way line to the northeasterly line of a tract conveyed to Weber Funeral Home, Inc by deed recorded in Book 3374 on page 962 of the Madison County records; thence southeastwardly along said northeasterly line to the southeasterly line of a tract conveyed to Bruce by deed recorded as Document 2006R28298 of the Madison County records; thence northeasterly along said southeasterly line to the northeastern line of said Weber Funeral Home, Inc tract; thence southeastwardly along said northeasterly line to the northernmost corner of Lot 7 of Maryland Addition as shown by Plat Book 9 on page 35 of the Madison County records; thence southwestwardly along the northwest lines of Lots 7 and 6 of said subdivision to the westernmost corner of Lot 6; thence southeastwardly along the southwest line of Lot 6 to the west right of way line of East College Street; thence southwestwardly along said west right of way line and its prolongation to the southwest right of way line of North Main Street; thence southeastwardly along said southwest right of way line to the east right of way line of West College Street; thence southwestwardly along said east right of way line to the southwest line of a tract conveyed to 241 LLC by deed recorded in Book 4618 on page 6171 of the Madison County records; thence southeastwardly along said southwest line to the southernmost corner thereof; thence northeastwardly along the southeast line of said tract to the southwest corner of a tract conveyed to 241 LLC by deed recorded as Document 2004R51613 of the Madison County records; thence southeastwardly along the southwest line of said tract to the southernmost corner thereof; thence northeastwardly along the southeast line of said tract to the southwest right of way line of North Main Street; thence southeastwardly along said southwest right of way line to the northernmost corner of a tract conveyed to Madison County by deed recorded in Book 3081 on page 1283 of the Madison County records; thence southwestwardly along the northwest line of said Madison County tract to the northeast right of way line of North Second Street; thence southeastwardly along said right of way line to the westerly right of way line of St. Louis Street; thence southwestwardly along said westerly right of way line to the northerly right of way line of Randle Street; thence westwardly along said north right of way line to the easterly corner of a tract conveyed to Madison County by deed recorded in Book 3214 on page 893 of the Madison County records; thence northwestwardly along the northeast line of said tract to the easterly corner of a tract conveyed to Madison County by deed recorded in Book 3072 on page 146 of the Madison County records; thence southwestwardly, northwestwardly, and westwardly along the southerly line of said tract and its westerly prolongation to the west right of way line of Clay Street; thence northwardly along said west right of way line to the north right of way line of West High Street; thence eastwardly along said north right of way line to a right of way deflection; thence northeastwardly along the westerly right of way line of West High Street to the southwesterly right of way line of North Second Street; thence northwestwardly along said southwesterly right of way line to the point of beginning.

Parcel 3

Beginning at the North right of way line of Pontoon Road and the West line of Lot 58 of Nameoki Gardens Subdivision, PB. 14, PG. 50, in Section 3 of Township 3 North, Range 9 West of the Third Principal

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Meridian, Madison County, Illinois; thence North 392 feet to the Northwest corner of said Lot 58; thence East 539 feet to the West line of Lot 53 in said Subdivision; thence South 196 feet to a point; thence East to the Southwest corner of Lot 2 of Walnut Grove Subdivision, PB. 62, PG. 181; thence along said Lot 2, North, East and South to the intersection with the Southwest corner of Lot E in the Resubdivision of Part Lots 16, 17 18 of Nameoki Gardens, PB. 23, PG. 10; thence East along said Lot line to the West right of way of Breckenridge lane; thence South 18 feet to a point; thence East 145 feet to the West line of a tract described in Document 2008R55530; thence North and East along said tract and the Easterly extension to the West line of a tract described in Document 2017R36834; thence North and East along said tract and the Easterly extension to the West right of way of Lake Drive; thence Southwesterly along said right of way 175 feet to a point; thence Southeasterly to the Northwest corner of a tract described in Document 2022R00652; thence Southeasterly and Southerly along said tract to the North right of way of Pontoon Road; thence Easterly along said right of way to the intersection with the Southerly extension of the West line of a tract owned by the Village of Pontoon Beach described in document 2017R18336; thence North along said extension and the West line of said tract to the Northwest corner of said tract; thence East along said tract to the East right of way line of Kaseberg Lane; thence Northeasterly along said right of way to the Southwest corner of Lot 7 of Pontoon Place Subdivision, PB 23, PG. 79; thence Southeasterly to the most Southerly corner of said Lot; thence Northeasterly along the East line of said Lot and the Northeasterly extension to the South line of the Pontoon Place Re-Subdivision of Lots 13 & 16, PB. 23, PG. 156; thence East along said Subdivision to the intersection with the West line of Lot 33 in said Subdivision; thence South 50 feet to a point; thence East to the West line of a tract described in Document 2007R03892; thence North to the South right of way of Kasenberg Lane; thence East to the intersection with State Route 111; thence South along said State Route 111 to the intersection with the Easterly extension of the South line of a tract described in Document 2015R08561; thence West to the Southeast corner of said tract; thence Westerly and Northwesterly along said tract and the Northwesterly extension to the centerline of a vacated street platted in Pontoon Place Re-Subdivision of Lots 13 & 16, PB. 23, PG. 156; thence Southwesterly along said vacated street to the East line of a tract described in Document 2016R43366; thence Southeasterly along said tract and a tract described in Book 3135, Page 1203 to the Southeast corner thereof; thence Southwesterly along said tract to the Southwest corner of said tract; thence Northwest along said tract to the Southeast corner of Lot 1 of Robert Place Subdivision, PC. 52, PG. 78; thence Southwesterly along said tract and the Southwesterly extension to the East line of Pontoon Beach Subdivision, PB. 22, PG. 24; thence Northerly along said Subdivision to the Southeast corner of Lot 7 in said Subdivision; thence West and North along said Lot 7 to the South right of way of Pontoon Road; thence West along said right of way to the West right of way of Lake Drive; thence South along said right of way to the Southeast corner of Lot 4 in Gaslight 1<sup>st</sup> Addition, PB. 37, PG. 58; thence Westerly along the South line of said Lot 4 to the Southeast corner of the Resubdivision of Lot 1 of Oakmont Plaza Subdivision, PC. 63, PG. 249; thence Westerly and Northerly along said Subdivision to the Northeast corner of Lot 2 of Oakmont Plaza Subdivision, PC. 54, PG. 142; thence West along the North line of said Lot and the Westerly extension to the East right of way of Oakmont Drive; thence North along said right of way 108 feet to a point; thence West to the Southwest corner of Lot 2 of Lakeshire 3<sup>rd</sup> Addition, PB. 35, PG. 69; thence North along said lot and the Northerly extension to the North right of way of Pontoon Road; thence West along said right of way to the intersection with the North extension of the East line of a tract described in Document 2020R22379; thence South 346 feet to a point; thence West 175 feet to a point; thence North 43 feet to a point; thence West 106 feet to the East line of Lot 1 in Billings 3<sup>rd</sup> Subdivision, PB. 59, PG. 82; thence South and West to the East right of way line of Cargill Road; thence North along said East line and the North extension to the North right of way line of Pontoon Road; thence West 74 feet to the POB.

All Subdivisions and Documents located in the above descriptions are recorded in the Madison County Recorder of Deeds Office, Madison County, IL.

## A RESOLUTION AUTHORIZING THE SUBMISSION OF THE 2023 EMERGENCY SOLUTIONS GRANT APPLICATION FOR THE COUNTY OF MADISON, ILLINOIS

**WHEREAS**, the Emergency Solutions Grant's (ESG) objective is to assist people in quickly regaining stability in permanent housing after experiencing a housing crisis and/or homelessness;

**WHEREAS**, the ESG can be used for street outreach, emergency shelter and supportive services, homeless prevention, rapid re-housing, Homeless Management Information Systems (HMIS) and administrative costs;

**WHEREAS**, the goals of the ESG grant is to broaden existing homelessness prevention activities, emphasize rapid rehousing programs and to help participants to quickly regain or obtain stability in permanent housing after experiencing homelessness;

**WHEREAS**, the County of Madison, Illinois has designated the Community Development Department to administer this grant and to prepare the required monthly, quarterly, and annual reports for the Illinois Department of Human Services;

**WHEREAS**, the Madison County Community Development Department is the local administering agency for the Madison County Emergency Solutions Grant; and

**WHEREAS**, it is necessary to submit to the Illinois Department of Human Services a grant application detailing the projected use of the 2023 Emergency Solutions 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 2023 annual Emergency Solutions Grant application in the amount of approximately \$161,694.00 for the County of Madison, Illinois, to the Illinois Department of Human Services; 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 Emergency Solutions Grant Program and to provide such additional information to the Illinois Department of Human Services as may be required.

Respectfully submitted,

s/ John E Foster  
John Eric Foster, Chair

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Judy Kuhn

s/ Bruce Malone  
Bruce Malone

s/ Victor Valentine, Jr.  
Victor Valentine, Jr.

s/ Bill Meyer  
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Bill Meyer

s/ Stacey Pace

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Stacey Pace

s/ Erica Harriss

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Erica Harriss

s/ Denise Wiehardt  
Denise Wiehardt

s/ Liz Dalton

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Liz Dalton

**GRANTS COMMITTEE**  
**JULY 5, 2022**



**RESOLUTION AUTHORIZING A PUBLIC INFRASTRUCTURE LOAN TO  
COLLINSVILLE TOWNSHIP**

**WHEREAS**, the Grants Committee has received an Infrastructure Loan request from Collinsville Township to develop a parking lot for the exclusive use of the Collinsville Township Senior Center;

**WHEREAS**, Collinsville Township has requested a three percent interest loan of \$125,000 to assist with the construction of a parking lot with an estimated cost of \$319,500.00;

**WHEREAS**, the parking lot is needed to preserve the health and safety of the citizens and employees of the Township; and

**WHEREAS**, Madison County has set aside UDAG loan funds to finance public improvement activities that affect the health and safety of Madison County residents;

**NOW, THEREFORE, BE IT RESOLVED** that the County Board of Madison County, Illinois, authorizes a maximum public infrastructure loan of \$125,000 at 3% interest over seven years to the Township of Collinsville contingent upon: (1) the Township complying with all applicable federal, state and local regulations; (2) the Township demonstrating that it has adequate funds to complete its infrastructure project; (3) Madison County, the Township, and any other funding sources negotiating mutually satisfactory security agreements for the infrastructure loan; and (4) the Township agreeing not to initiate its proposed infrastructure project until it has received a "Notice to Proceed" from Madison County;

Respectfully submitted,

s/ John E Foster

John Eric Foster, Chair

\_\_\_\_\_  
Judy Kuhn

s/ Bruce Malone

Bruce Malone

s/ Victor Valentine, Jr.

Victor Valentine, Jr.

s/ Bill Meyer

Bill Meyer

s/ Stacey Pace

Stacey Pace

s/ Erica Harriss

Erica Harriss

s/ Denise Wichardt

Denise Wichardt

s/ Liz Dalton

Liz Dalton

**GRANTS COMMITTEE  
JULY 5, 2022**

**RESOLUTION AUTHORIZING HOME PROGRAM FUNDS TO  
FLAX MEADOW TOWNHOMES II**

**WHEREAS**, Madison County has funds available in the HOME Investments Partnership Program (HOME) for affordable housing development projects; and

**WHEREAS**, HOME funds are used to expand the supply of decent, safe, affordable housing, to make new construction of housing feasible, and to promote the development of partnerships among local governments, private industry, and non-profits to utilize resources to provide such housing; and

**WHEREAS**, the Turnstone Development Corporation has applied for funds for:

- Rental new construction.

**WHEREAS**, Turnstone Development Corporation is requesting \$500,000 in HOME funds to provide financing for:

- 32-unit townhome development for families with incomes between 30-60% AMI. The 32-units will be spread across (8) one-and-two story buildings and offer the following unit breakdown: (4) one-bedroom units (717 SF), (12) two-bedroom units (963-1114 SF), and (16) three-bedroom units (1258 SF). The (8) buildings will be in four-plex style townhomes and will share a property management office with Flax Meadow Townhomes Phase I, located south of Flax Drive. The project will provide surface parking with a total of 64 parking spaces, (8) of which will be ADA compliant

**NOW, THEREFORE, BE IT RESOLVED** that the County Board authorizes a HOME Program loan of \$500,000, for project financing, to the Turnstone Development Corporation contingent upon: (1) clearance on any environmental issues, (2) securing the commitment of other funding sources, (3) mutually satisfactory security agreements, and (4) compliance with all regulatory issues pertaining to the HOME program.

Respectfully submitted,

s/ John E Foster  
John Eric Foster, Chair

\_\_\_\_\_  
Judy Kuhn

s/ Bruce Malone  
Bruce Malone

s/ Victor Valentine, Jr.  
Victor Valentine, Jr.

s/ Bill Meyer  
Bill Meyer

s/ Stacey Pace  
Stacey Pace

s/ Erica Harriss  
Erica Harriss

s/ Denise Wiehardt  
Denise Wiehardt

s/ Liz Dalton  
Liz Dalton

**GRANTS COMMITTEE  
JULY 5, 2022**

**A RESOLUTION AUTHORIZING SUBMISSION OF THE FY 2022  
COMMUNITY DEVELOPMENT ACTION PLAN**

**WHEREAS**, the Community Development Department is responsible for the application of grant funding from the U.S. Department of Housing and Urban Development office of Community Planning and Development for the receipt of the Community Development Block Grant (CDBG), HOME Investment Partnership (HOME) and HOME ARP programs;

**WHEREAS**, it is necessary to submit an Annual Action Plan to HUD for the receipt of the Community Development Block Grant (CDBG), HOME Investment Partnership (HOME) and HOME ARP program funds;

**WHEREAS**, the Community Development Department has been allocated by HUD \$2,877,358.00 in Community Development Block Grant (CDBG), \$1,064,059.00 in HOME Investment Partnership (HOME) and HOME ARP \$3,529,710.00 program funds;

**WHEREAS**, the CDBG, HOME and HOME ARP National Objectives are to benefit low to moderate income persons, the prevention or elimination of slums and blight, and to meet urgent needs;

**WHEREAS**, the County of Madison, Illinois has designated the Community Development Department to administer these grants and to prepare the Annual Action Plan and associated documents;

**WHEREAS**, the Community Development Department will adhere to and enforce all Federal Regulations and Certifications for the CDBG, HOME and HOME ARP programs; and

**WHEREAS**, the County of Madison, Illinois has designated the Community Development Department to administer these grants and to prepare the Consolidated Plan, Annual Action Plan, grant agreements, Consolidated Annual Performance Evaluation Report (CAPER), and all other related documentation as required by the Department of Housing and Urban Development;

**NOW, THEREFORE, BE IT RESOLVED** that the County Board of the County of Madison, Illinois hereby authorized the filing of the FY 2022 Action Plan for the CDBG, HOME and HOME ARP programs with the Department of Housing and Urban Development; and

**BE IT FURTHER RESOLVED** that the County Board hereby directs and designates the Madison County Community Development Administrator to act as the County's authorized representative in connection with the Consolidated Plan, Annual Action Plan, grant agreements, CAPER and all other related documentation as required by the Department of Housing and Urban Development.

Respectfully submitted,

s/ John E Foster  
John Eric Foster, Chair

\_\_\_\_\_  
Judy Kuhn

s/ Bruce Malone  
Bruce Malone

s/ Victor Valentine, Jr.  
Victor Valentine, Jr.

s/ Bill Meyer  
Bill Meyer

s/ Stacey Pace  
Stacey Pace

s/ Erica Harriss  
Erica Harriss

s/ Denise Wichardt  
Denise Wichardt

s/ Liz Dalton  
Liz Dalton

**GRANTS COMMITTEE  
JULY 5, 2022**

<b>FY 2022 CDBG Budget</b>	
FY 2022 CDBG Allocation	\$2,877,358.00
Program Income	\$25,000.00
FY 2018 Reprogrammed Funds	\$69,202.08
<b>Total</b>	<b>\$2,971,560.08</b>
<b>City of Alton</b>	
Infrastructure Improvements	\$100,000.00
Demolition	\$180,000.00
Code Enforcement	\$174,243.20
Residential Rehabilitation	\$150,000.00
Housing Services	\$20,000.00
Commercial Rehab	\$15,000.00
Homeownership Assistance	\$75,000.00
<b>Total</b>	<b>\$714,243.20</b>
<b>City of Granite City</b>	
Infrastructure Improvements	\$180,000.00
Demolitions	\$90,899.80
Code Enforcement	\$5,000.00
Fire Truck loan repayment	\$75,000.00
Public Safety Services	\$42,357.00
Housing Rehabilitation	\$100,000.00
Rehab Admin	\$10,000.00
Summer Youth	\$55,400.80
<b>Total</b>	<b>\$558,657.60</b>
<b>Competitive Funding Round</b>	
Wood River (City), Water Line Improvements	\$100,000.00
Collinsville (City), Sewer & Manhole Relining	\$100,000.00
Troy (City), Detention Pond Expansion/Improvements	\$100,000.00
East Alton, Sewer Relining	\$100,000.00
Madison (City), Street Improvements	\$100,000.00
<b>Total</b>	<b>\$500,000.00</b>
<b>Madison County Accounts</b>	
Demolitions (\$19,202.08 FY 2018 Reprogrammed Admin Funds + \$25,000 PI)	\$168,187.68
Demolitions Low/Mod	\$10,000.00
Rehab Admin	\$15,000.00
Accessibility Program	\$18,000.00
Accessibility Program Rehab Admin	\$2,000.00

Owner Occupied Rehab (\$69,202.08 FY 2018 Reprogrammed Admin Funds)	\$100,000.00
Weatherization	\$80,000.00
Housing Services	\$65,000.00
Homeless Services	\$90,000.00
Economic Development (\$25,000.00 Program Income)	\$75,000.00
<b>Total</b>	<b>\$623,187.68</b>
<b>Administration</b>	\$575,471.60
<b>Total CDBG Budget</b>	<b>\$2,971,560.08</b>

<b>FY 2022 HOME Budget</b>	
2022 HOME Allocation	\$1,064,059.00
Program Income	\$100,000.00
<b>Total</b>	<b>\$1,164,059.00</b>
Admin (10% of Allocation)	\$106,405.90
CHDO Set Aside (15% of Allocation)	\$159,608.85
HOMEbuyer	\$230,000.00
Developers Subsidy	\$100,000.00 (\$100,000.00 Program Income)
Rental Projects	\$568,044.25
<b>Total</b>	<b>\$1,164,059.00</b>

<b>HOME ARP Allocation</b>	\$3,529,710.00
<b>Program Income</b>	
<b>Total</b>	<b>\$3,529,710.00</b>
Admin (15% of Allocation)	\$529,456.50
TBRA	\$50,000.00
Homeless Shelter Construction	\$2,735,253.50
Housing Counseling	\$50,000.00
Housing Services	\$65,000.00
Affordable Housing	\$50,000.00
Homeless Prevention Services	\$50,000.00
<b>Total</b>	<b>\$3,259,710.00</b>



**ORDINANCE #:** \_\_\_\_\_

**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**, permit fees are assessed to each permitted food service establishment, collected by the Health Department and deposited into the Health Department fund; and,

**WHEREAS**, Mobile Food Establishments (Food Trucks) were first permitted in Madison County, Illinois in December, 2018 at a rate of \$375.00 annually and to date there are 18 active food truck permits issued by the health department; and

**WHEREAS**, the Madison County Board of Health desires to reduce annual permit fees for food trucks operating in Madison County, Illinois;

**NOW, THEREFORE BE IT ORDAINED** by the Madison County Board of Health that Schedule “A” Food Permit Fees of Chapter 55 of the Code of Ordinances, Madison County, Illinois, be amended to establish a revised Mobile Food Establishment annual permit fee.

Respectfully Submitted,

s/ Mike Babcock  
Michael Babcock, Chair

\_\_\_\_\_  
Chris Guy, Chair

s/ Mike Walters  
Michael Walters

\_\_\_\_\_  
Robert Pollard

\_\_\_\_\_  
Jack Minner

\_\_\_\_\_  
Eric Foster

\_\_\_\_\_  
Victor Valentine, Jr.

\_\_\_\_\_  
Gussie Glasper

s/ Aaron Messner  
Aaron Messner

\_\_\_\_\_  
Jamie Goggin

s/ Chris Guy  
Chris Guy

\_\_\_\_\_  
Erica Harriss

\_\_\_\_\_  
Terry Eaker  
**HEALTH DEPARTMENT COMMITTEE  
JUNE 3, 2022**

\_\_\_\_\_  
Ryan Kneeder  
**FINANCE & GOVERNMENT OPERATIONS  
JUNE 9, 2022 - FAILED FOR LACK OF MOTION**

**Schedule “A” Food Permit Fees**

Permit fees shall be non-refundable once a permit has been issued by the Health Department.

Effective June 15, 2022 the fee schedule is as follows:

	<u>Amount</u>
Category 1 Annual Permit	\$375.00
Category 2 Annual Permit	\$375.00
Category 3 Annual Permit	\$150.00
Mobile Food Establishment Annual Service Permit	<del>\$375.00</del> \$175.00
Temporary Permit	\$75.00
Temporary Permit Late Fee (48 hours before event)	\$75.00
Plan Review Fee	\$200.00
Concession Stand	\$150.00
Food Pantry	\$40.00
Cottage Food Vendor Registration	\$25.00
Annual Permit Late Payment Fee (accrues each month)	\$75.00
Enforcement Penalty Maximum Fine	\$1,000.00

**AMENDED 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, Fluzone High Dose, Fluzone Quadrivalent, Quadracel, Adacel, Tubersol, Prevnar20, **Vaxelix and Menquadfi** from Sanofi Pasteur for a one year period beginning November 2021; and,

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

Sanofi Pasteur  
12458 collections Center Dr.  
Chicago, IL 60693 ..... Not to exceed \$70,000.00

**WHEREAS**, it is the recommendation of the Madison County Health Department to purchase the ActHib, Daptacel, Imovax, IPOL, Menactra, Pentacel, Prevnar13, Tenivac, Fluzone High Dose, Fluzone Quadrivalent, Quadracel, Auadracel, Adacel, Tubersol, Prevnar20, **Vaxelis and Menquadfi** from Sanofi Pasteur of Chicago, IL; and,

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

**WHEREAS**, this resolution supersedes the resolution approved November 2021 and May 2022; and,

**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,

s/ Mike Babcock  
Mike Babcock

\_\_\_\_\_  
Mike Walters

\_\_\_\_\_  
Jack Minner

s/ Victor Valentine, Jr.  
Victor Valentine, Jr.

s/ Aaron Messner  
Aaron Messner

s/ Chris Guy  
Chris Guy

s/ Terry Eaker  
Terry Eaker

\_\_\_\_\_  
Valerie Doucleff

s/ Kurt Prenzler  
Kurt Prenzler

**HEALTH DEPARTMENT COMMITTEE  
JULY 1, 2022**

s/ Chris Guy  
Chris Guy

\_\_\_\_\_  
Robert Pollard

s/ Eric Foster  
Eric Foster

\_\_\_\_\_  
Gussie Glasper

s/ Jamie Goggin  
Jamie Goggin

s/ Erica Harriss  
Erica Harriss

\_\_\_\_\_  
Ryan Kneeder

**FINANCE AND GOVERNMENT OPERATIONS  
JULY 14, 2022**

**RESOLUTION TO PURCHASE A RENEWAL OF ARTIC WOLF PRODUCTS,  
LICENSING AND MAINTENANCE FOR THE MADISON COUNTY  
INFORMATION TECHNOLOGY DEPARTMENT**

Mr. Chairman and Members of the County Board:

**WHEREAS**, the Madison County Information Technology Department wishes to purchase a renewal of Artic Wolf products, licensing and maintenance; and,

**WHEREAS**, proposals were advertised and received from the following vendors; and,

SecureData Technologies  
1392 Frontage Road  
O'Fallon, IL 62269 ..... \$121,110.00

**WHEREAS**, SecureData Technologies met all specifications at a total contract price of one hundred twenty-one thousand and one hundred ten dollars (\$121,110.00); and,

**WHEREAS**, it is the recommendation of the Madison County Information Technology Department to purchase said a renewal of Artic Wolf products, licensing and maintenance from the sole bidder, SecureData Technologies; and,

**WHEREAS**, this purchase will be paid from the Information Technology ARPA Info. Tech Cyber Security Funds; and,

**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 SecureData Technologies of O'Fallon, IL for the aforementioned a renewal of Artic Wolf products, licensing and maintenance.

Respectfully submitted by,

s/ Jamie Goggin  
Jamie Goggin

s/ Chris Guy  
Chris Guy

\_\_\_\_\_  
Michael Holliday, Sr.

\_\_\_\_\_  
Robert Pollard

s/ Bruce Malone  
Bruce Malone

s/ Eric Foster  
Eric Foster

s/ Dalton Gray  
Dalton Gray

\_\_\_\_\_  
Gussie Glasper

s/ Jack Minner  
Jack Minner

s/ Jamie Goggin  
Jamie Goggin

s/ Aaron Messner  
Aaron Messner

s/ Erica Harriss  
Erica Harriss

s/ Mike Babcock  
Mike Babcock

\_\_\_\_\_  
Ryan Kneeder

\_\_\_\_\_  
Valerie Doucleff  
**INFORMATION TECHNOLOGY COMMITTEE  
JULY 5, 2022**

**FINANCE AND GOVERNMENT OPERATIONS  
JULY 14, 2022**

**RESOLUTION TO PRESENT AN ADVISORY REFERENDUM REGARDING THE GENERAL ASSEMBLY’S IMPLEMENTATION AND DESIGN OF SUBCIRCUITS IN MADISON COUNTY, ILLINOIS**

**WHEREAS**, Pursuant to the Illinois Election Code, 10 ILCS 5/28-1, et seq., and the Counties Code, 55 ILCS 5/5-1005.5, the corporate authorities of a county have the authority to submit a public question to the electors of the county by means of a referendum; and

**WHEREAS**, on January 7, 2022, Governor Pritzker signed into law the Judicial Redistricting Act of 2022 (“the Act”), which divided Madison County, Illinois into three separate subcircuits for the purpose of selecting and electing Circuit Judges; and

**WHEREAS**, the Act disenfranchises two-thirds of the voters in Madison County, Illinois and immediately removes their right to vote for Circuit Judge in the upcoming November 2022 general election; and

**WHEREAS**, the Act prohibits Madison County attorneys who reside in the newly formed subcircuits 2 and 3 from running for Circuit Judge in the upcoming November 2022 election; and

**WHEREAS**, the Act allows for the political gerrymandering of our Judiciary in Madison County; and

**WHEREAS**, the Act removes the right of two-thirds of Madison County voters to choose the Circuit Judges who will preside over their cases; and

**WHEREAS**, the voters of Madison County should have the opportunity to express their views on this important issue where they pay taxes and reside; and

**WHEREAS**, 55 ILCS 5/5-1005.5 states, “By a vote of the majority of the members of the county board, the board may authorize an advisory question of public policy to be placed on the ballot at the next regularly scheduled election in the county.”; and

**WHEREAS**, the Madison County Board seeks to place an advisory public question before the electorate via a referendum on the November 8, 2022, countywide ballot as follows:

**“Should all Madison County voters have the right to vote for each Madison County Circuit Judge, instead of only being allowed to vote if they reside in a politically-gerrymandered subcircuit of the county created by the General Assembly in Springfield?”**

**☐ Yes**

**☐ No**

**NOW, THEREFORE BE IT RESOLVED** by the Madison County Board that the aforementioned advisory question be presented to the electorate via a countywide advisory referendum on the November 8, 2022 ballot;

**BE IT FURTHER RESOLVED** that the Madison County Clerk shall certify the advisory public question referenced herein and notify the Secretary of State, and the Attorney General of this request for action in accordance with Article 28 of the Election Code.

Approved and adopted this \_\_\_\_ day of July, 2022.



[Agenda Top](#)

s/ Mike Walters

Mike Walters

s/ Gussie glasper

Gussie Glasper

s/ Jamie Goggin

Jamie Goggin

s/ Liz Dalton

Liz Dalton

s/ Mike Babcock

Mike Babcock

**JUDICIARY COMMITTEE**

**JULY 1, 2022**