

Sharon K. Williams, District 1  
Junior Watkins, District 2  
Barry Robinson, District 3  
Chairperson-Andrew A. Rand, District 4  
Rachael Parker District 5  
G. Allen Mayer, District 6  
James C. Dillon, District 7  
Phillip Salzer, District 8



Andrew A. Rand - Chairperson  
R. Steve Sonnemaker, County Clerk

Vice-Chairperson -Stephen M. Morris, District 10  
Gregory Adamson, District 11  
Robert Baietto, District 12  
James T. Fennell, District 13  
Brian Elsasser, District 14  
Steven Rieker, District 15  
Brad Harding, District 16  
Thomas H. O'Neill, III, District 17  
Paul Rosenbohm, District 18

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**PEORIA COUNTY BOARD  
MEETING MINUTES  
Thursday, June 8, 2017  
6:00 PM**

County Courthouse • 324 Main Street • County Board Room 403 • Peoria, Illinois 61602  
Voice: (309) 672-6056 • Fax: (309) 672-6054 • TDD: (309) 672-6073  
[www.peoriacounty.org/countyboard](http://www.peoriacounty.org/countyboard)

**CALL TO ORDER  
MOMENT OF SILENCE  
PLEDGE OF ALLEGIANCE  
ROLL CALL BY THE COUNTY CLERK**

Attendance was taken with the Roll Call-Pro voting system, and the following members of the Board were present: Adamson, Dillon, Elsasser, Fennell, Harding, Mayer, Morris, O'Neill, Rand, Rieker, Salzer, Watkins and Williams, with Baietto, Parker, Robinson, and Rosenbohm absent.

**I. APPROVAL OF MINUTES**

- Approval of May 11, 2017 County Board Meeting Minutes

O'Neill moved for approval of the minutes, Fennell seconded. The minutes were approved by a unanimous roll call vote of 13 ayes.

**II. PROCLAMATIONS & PRESENTATIONS**

- A presentation of the annual "Deputy of the Year" award
- A presentation of the annual "Correctional Officer of the Year" award  
Proclamation was not given
- A proclamation recognizing the Dunlap High School Girl's Track and Field Team for winning the state championship in the 2017 2A IHSA Girl's Track and Field State Finals  
Parker entered the meeting
- A proclamation recognizing the Dunlap High School's Boys Varsity Tennis Team for winning the state championship in the 2017 1A IHSA Boys Tennis State Finals

**III. CITIZENS' REMARKS**

Mr. Evans requested that those speaking on the zoning subject limit their remarks to those that were presented at the ZBA.

William Connor, attorney representing Limestone Township, addressed the Board with regard to Item 2. He expressed that the Road Commissioner has concerns with the special use. He urged the



Board to deny Marshall Bailey's petition.

Tiffany Eccles, 8011 W Thorngate Drive, Mapleton, addressed the Board with regard to Item 2. She explained that the property in question is directly behind her house. She urged a no vote because she has two small children with one that attends the elementary school down the road, which is the same road that would have all the trucks driving on it. She said that she can see the traffic from her back window and it wasn't like that when she bought the property.

James Morris, 8008 W Thorngate Drive, Mapleton, addressed the Board with regard to Item 2. He detailed that he can see the property from his yard and he urged the Board to vote against the petition.

Tom Schupp, 7921 W Thorngate Drive, Mapleton, addressed the Board with regard to Item 2. He described that his property adjoins the Bailey property and he was the first in the subdivision. He discussed that they moved to the area because it is rural and quiet, but it is has not been quiet recently. He requested a no vote.

Sharon Powell, 8121 W Thorngate Drive, Mapleton, addressed the Board with regard to Item 2. She stated that she purchased the property because it was quiet, but due to the trucks it has been anything but quiet. She urged for a no vote.

Jack Teplitz, attorney representing Marshall Bailey, addressed the Board with regard to Item 2. He brought up that he has spent the bulk of his career practicing law in local government and he appreciates the work done, but he is not proud to be in front of the Board because he received the ZBA decision in the mail an hour before the Land Use Committee hearing. He said that it did not give enough time to form a response. He detailed that there are a number of factual errors or improper reliance on the record on the part of the ZBA. He contended that the County's staff recommended approval with restrictions, but the ZBA ignored the recommendations. He identified that the ZBA used prior hearings in their findings, but they do not state what they looked at, and there are conflicts from prior hearings. He brought up that Mrs. Hopwood was about to answer questions from him after her testimony in front of the ZBA, but her husband was shouting and telling her not to answer. He noted that the ZBA struck her comments, but did accept pictures as evidence submitted by her. He presented that the ZBA did not mention that Mr. Hopwood testified that he had shown interest in buying Mr. Bailey's property on two different occasions. He contended that the ZBA went back to prior testimony from prior hearings, but did not reference that Mr. Hopwood's testimony contradicted his wife's testimony; only saying that there was a conflict in testimony between Mr. Bailey and Mr. Hopwood about truck usage. He reported that Mr. Bailey leaves for weeks and months at a time due to his business in disaster relief and he does not bring trucks in and out of the property. He summarized that the ZBA ignored the findings by staff on landscaping, there are other instances of heavy equipment using the same roads, and the rules are not being applied to all equally. He contended that in A-2 zoning, it is allowed to have a truck cab and 2 trailers under the rules, but it is not allowed by Mr. Bailey even though he would have the same impact. He asked for the Board to reverse the findings of the Land Use Committee and the ZBA.

#### **IV. CONSENT AGENDA**

- C1.** The Treasurer report consisting of the Bank and CD's Portfolio for the month of April 2017 and Revenue & Expenditure Reports for the month of March 2017.



**Peoria County Board  
Minutes, Thursday, June 8, 2017**

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- C2.** The Auditor's report of expenditures from Accounts Payable system is accessible at [www.peoriacounty.org/auditor/transparency](http://www.peoriacounty.org/auditor/transparency).
- C3.** A resolution (items 1 - 2 conveyances) from the Ways and Means Committee recommending that the County Board Chairman be authorized and directed to execute deed of said property to the highest bidder, and be authorized to cancel the appropriate Certificates of Purchase. This resolution shall be effective ninety days from June 8, 2017 and any transaction between the parties involved not occurring within this period shall be null and void.
- C4.** A resolution from your Budget Subcommittee recommending approval of a budgetary appropriation and transfer of funds in the amount of \$350,000.00 from the CDAP Fund to the Employee Health Fund to be used for health insurance related costs associated with the FY 2017 voluntary retirement incentive.
- C5.** A resolution from your Public Safety and Justice Committee recommending approval to revert the fee paid by the County of Peoria to grand and petit jurors to the sum of \$15.00 per day with the \$.10 per mile travel expense reimbursement which was in place prior to June 1, 2015.
- C6.** A resolution from your Public Safety and Justice Committee recommending approval of a Services Agreement between the Peoria County Coroner and Dr. Matthew Fox for Forensic Pathology Services.
- C7.** A resolution from your Land Use Committee recommending approval of the lowest responsible bid of the lowest responsible bid of Michael Baker International, Moon Township, PA, in an amount not to exceed \$10,667.50 to provide asbestos testing services on up to 20 flood prone properties in the Town of Edwards.
- C8.** A resolution from your Land Use Committee recommending approval of the lowest responsible bid of Hood Demolition & Excavation, Rushville, IL, in an amount not to exceed \$127,300.00 for demolition and asbestos remediation on up to 15 flood prone properties in the Town of Edwards.
- C9.** A resolution from your Land Use Committee recommending approval of the lowest responsible bid of Midwest Environmental Consulting Services, Inc., Yorkville, IL, in an amount not to exceed \$9,500.00 to provide asbestos testing services on up to 19 flood prone properties in Unincorporated areas of Peoria County.
- C10.** A resolution from your Land Use Committee recommending approval of the lowest responsible bid of Hood Demolition & Excavation, Rushville, IL, in an amount not to exceed \$206,500.00 for demolition and asbestos remediation on up to 19 flood prone properties in Unincorporated areas of Peoria County.



- C11.** A resolution from your County Operations Committee recommending approval of a final settlement of the insurance claim for 2015 water damage to the Circuit Clerk's Office and courtrooms in the amount of \$653,942.59.
- C12.** A resolution from your Infrastructure Committee recommending approval of an Intergovernmental Agreement between the County of Peoria and the City of Peoria for the County of Peoria to perform highway structure inspections for the City of Peoria.
- C13.** A resolution from your Infrastructure Committee recommending approval of a Supplemental Preliminary Engineering Services Agreement with Hanson Professional Services for Phase 1 and Phase 2 engineering of the Richwoods Boulevard bridge replacement at a cost not to exceed \$99,000.00.
- C14.** A resolution from your Infrastructure Committee recommending approval of a Design Services Contract with Dewberry Architects, Inc., in the amount of \$91,000.00, for the renovation of property located at 4422 Brandywine Drive.
- C15.** A recommendation from the Chairman of Infrastructure Committee and the County Administrator to approve an Ordinance for prevailing rate of wages for laborers, mechanics and other workers contracted in performing construction of public works in Peoria County as determined by the Illinois Department of Labor. *(Poll Vote per Rules of Order, Article V, Section 18C)*
- C16.** A resolution from the Chairman of Infrastructure Committee and the County Administrator recommending approval of a five (5) month extension of the existing Transportation Services Agreement with MV Transportation, Inc., with a final ending term of June 30, 2017. *(Poll Vote per Rules of Order, Article V, Section 18C)*
- C17.** Approval of Bond for Matthew Bender, Greater Peoria Sanitary and Sewage Disposal District.
- C18.** Chairman Appointments.

Fennell moved to approve the Consent Agenda and Dillon seconded. Mayer asked to pull Item C14. The Consent Agenda, except for Item C14, was approved by a roll call vote of 13 ayes and 1 nay, with Harding voting nay.

**C14. A resolution recommending approval of a Design Services Contract with Dewberry Architects, Inc. for the renovation of property at 4422 Brandywine Drive.**

O'Neill moved to approve Item C14 and Salzer seconded. Mayer stated that he will be abstaining due to his wife working for Dewberry.



Williams asked for Mr. Sorrel to give a report on the property.

Mr. Sorrel reported that the contract is for the architecture and design services on the property that will be occupied by the County Election Commission. He discussed that the Board has passed the lease and remediation of environmental issues with the property. He explained that the next step for the property is to have architectural engineering done so that it can be bid out to a general contractor.

Williams asked for information on what would be spent on the building by the County prior to the Commission moving in and what expenses are the owner's responsibility.

Mr. Sorrel informed that there was a total of \$650,000 budgeted for the year with the \$91,000 being included in that number. He said that there have also been payments made for rent, but the remediation cost has been paid for by the owner. He summarized that the cost into the building is the amount spent on the architectural engineering and the rent.

Elsasser inquired about the ownership and continued use of the current space. Mr. Sorrel stated that the space is owned by the City of Peoria, that they have plans to use it, and they would like the Commission to vacate the space as quickly as possible. Elsasser requested information on the savings from the transfer of elections responsibility out of the County Clerk's Office.

Chairman Rand said that although it is a fair question, it is not in relation to the question in front of the Board.

Mayer remarked that the City is not charging rent for the space and it is sitting on a couple hundred thousand dollars left over from the City Election Commission that will be transferred to the County and it will help offset the costs of the remodeling project. He suggested Elsasser come to the Ways and Means Committee meetings if he has additional questions.

Williams inquired on the cost of the building if the County were to buy it.

Mr. Sorrel proposed that the discussion about acquisition of property would be done in a closed session, but there has been an appraisal done on the property.

Item C14 was approved by a roll call vote of 11 ayes and 2 nays and 1 abstention, with Elsasser and Harding voting nay and Mayer abstaining.

## **V. ZONING ORDINANCE AND RESOLUTIONS**

1. Case #028-17-U, Petition of Drew & Kate Bailey. A Special Use as required in Section 20.5.2.2.1.a.1 of the Unified Development Ordinance. This section allows for a special use when a proposed land split does not meet the 25 acre minimum lot size nor the 1 dwelling unit per 25 contiguous acres density requirement in the A-2 Agricultural District. The petitioner proposes to divide two approximately 5 acre lots from a 10.003 acre parcel. The parcel is located in Timber Township. The Zoning Board of Appeals recommends approval with restriction. The Land Use Committee concurs.

Dillon moved to approve the ordinance and O'Neill seconded. Dillon explained that it is a very simple land split and not related to the other Bailey case. The ordinance passed by a unanimous



roll call vote of 14 ayes.

2. Case #029-17-U, Petition of Marshall Bailey. A Special Use to allow for a major home occupation in the "A-2" Agriculture zoning district, when the lot is less than 5 acres in size. The petitioner requests to operate a trucking business from a 3.1 acre parcel. According to the petition the only business use is to park, enter and exit the property with (1) commercial vehicle and (2) trailers. The request does not include the storage of materials related to the business. If the first request is approved the petitioner requests to allow for variations from the requirements of a major home occupation. Section 20-7.3.5.9 states the home occupation may involve the use of indoor storage of heavy equipment and that the equipment may only be stored in the dedicated accessory structure. A Special Use is also required in Section 20-7.3.5.5 to vary from the requirement that landscaping shall be required to screen off-street parking areas from the view of adjacent landowners, according to provisions set forth in Section 7.6 (Landscaping and Bufferyards). The petitioner proposes to use existing trees and to plant new evergreen trees to screen off-street parking. The petitioner will not meet the landscaping point requirements on the north and east property lines, and will not meet the tree/shrub ratio on the north, east, south and west property lines. The parcel is located in Limestone Township. The Zoning Board of Appeals recommends **DENIAL**. (*Pending Committee Approval*)

Dillon moved to approve the ordinance and Fennell seconded.

Dillon thanked the staff, the Zoning Board of Appeals, the Land Use Committee, the neighbors, and the petitioner. He detailed that there was a two day hearing and the case was recommended for approval by the Zoning Office, but the ZBA is the finders of fact. He explained that the ZBA came to a unanimous recommendation to deny the Special Use. He described that there was some confusion in committee about how the ordinance reads, but a yes vote is to agree with the ZBA's Findings of Fact of denying the petition.

Chairman Rand summarized that if the Board does not want the Special Use, vote yes; if the Board wants the Special Use, vote no.

Adamson requested clarification because Mr. Teplitz said that from his perspective this was not special use because other people had this right without requesting a Special Use.

Mrs. Lowder reported that a major home occupation in this zoning district on a lot of less than 5 acres would require a special use. She said that if the vehicles were for agricultural purposes only, then a special use would not be needed, but that is not the case in this instance.

Chairman Rand thanked Dillon for getting the case squared away, the petitioner for refileing the petition, Mr. Sorrel for waiving the filing fee for the application, the staff, and Mr. Evans.

The ordinance, denying the Special Use, passed by a roll call vote of 12 ayes and 2 nays, with Parker and Watkins voting nay.

3. A resolution from the Chairman of Public Safety and Justice Committee and the County Administrator recommending approval of the initial appointment of trustees to the Chillicothe Community Fire Protection District. (*Poll Vote per Rules of Order, Article V, Section 18C*)

Fennell moved to approve the resolution and Parker seconded.



Chairman Rand stated that he would be abstaining due to a business interest with the district.

Fennell discussed that the present board has 3 members, but due to open meetings act they do not want a problem with only 2 members meeting; therefore, they would like to increase the membership to 5.

Morris informed that he would be abstaining due to a business relationship with the parties involved.

Elsasser remarked that both candidates are very good and are very familiar with the area. He said he believes they will be good additions to help kick off the district.

Fennell concurred that the candidates will represent the district well.

The resolution passed by a roll call vote of 12 ayes and 2 abstentions, with Chairman Rand and Morris abstaining.

4. A resolution from your Infrastructure Committee recommending approval of a Construction Engineering Agreement with Millennia Professional Services, Morton, IL for the Lancaster Road Bridge Replacement Project, at a cost not to exceed \$234,192.72. *(Pending Committee Approval)*

Salzer moved to approve the resolution and Dillon seconded.

Salzer highlighted that the Highway Department had to replace an engineering firm and quickly got a recommendation for Millenia. He said that they are a very reputable firm, and the project is funded with an 80-20 split.

Chairman Rand expressed that with great reluctance he will support the resolution because he does not understand where the overhead calculation comes from. He stated that he does not understand why the request for qualifications necessarily precludes the County from searching for another expert to provide the same services. He conveyed that a \$79,000 fee and a \$139,000 overhead charge makes his head hurt and he cannot explain it.

The resolution passed by a unanimous roll call vote of 14 ayes.

5. Review of Executive Session Minutes

Mr. Evans identified that the State's Attorney's Office recommends that the previously held minutes continue to be held because the need for confidentiality still exists and to destroy audio recordings that are more than 2 years old except those that relate to pending litigation.

Mayer moved to adopt the recommendation from the State's Attorney's Office and Salzer seconded. The motion passed by a unanimous roll call vote of 14 ayes.

## **VI. MISCELLANEOUS AND ANNOUNCEMENTS**

Chairman Rand asked for the Board Members to return the evaluation tool for Mr. Sorrel to Morris so



that he may put together the information for the next Executive Committee meeting.

Parker requested all to attend the Taste of Chillicothe on June 29<sup>th</sup>. She said that there are 12 restaurants that have signed up.

Dillon detailed that there are plans to meet with developers and builders in the community to determine their needs and what can be done to help streamline the building process and be friendlier to development. He noted that beginning June 1st the Planning and Zoning department will only require a simple drawing, not architectural drawings, for sheds, decks, carports, and pergolas. He identified that there is work being done to create a 1 page report showing the permits pulled and the dollar values invested into the County that will give a good feel for how things are going for the year.

Parker asked for the report to also show if the project is included in the County's enterprise zone.

Harding reported that 4 years after the flood in Edwards, demolition can start next month and might be done by Labor Day. He said that it has been nothing short of disastrous for the residents, but it is finally being brought to closure. He urged the State to pass a budget because the budget impasse has pushed it from being a 3 year process to a 4 year process. He thanked staff and the State's Attorney's Office for their work.

O'Neill mentioned the employee luncheon and noted it is always a good time and there is always good food at it.

Chairman Rand announced that the clock has started on the appointment of a new County Board member and he is leaning towards not requesting applications from the public for the Sheriff position because there is a requisite of professional experience needed to replace Sheriff McCoy. He explained that the Democratic caucus would manage the appointment to the County Board seat.

Mr. Sorrel reported that the requisite number of members have signed the petition to hold a special meeting on June 27<sup>th</sup> at 4pm.

Chairman Rand stated that an appointment would happen, but both could be made at that time.

## **VII. ADJOURNMENT**

There being no further business before the Board, the Chairman announced the meeting was adjourned.