

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  
Kathrin Pastucha, District 9



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

Robert Reneau, District 10  
Gregory Adamson, District 11  
Rachel Reliford, District 12  
James T. Fennell, District 13  
Brian Elsasser, District 14  
Steven Rieker, District 15  
Matthew Windish, District 16  
Vice-Chairperson-Thomas H. O'Neill, III, District 17  
Paul Rosenbohm, District 18

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**PEORIA COUNTY BOARD  
MEETING MINUTES  
Thursday, January 10, 2019  
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](http://www.peoriacounty.org)

**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: Members Adamson, Dillon, Elsasser, Fennell, Mayer, O'Neill, Parker, Pastucha, Rand, Reliford, Reneau, Robinson, Rosenbohm, Salzer, Watkins, Williams, and Windish, with Member Rieker absent.

**I. APPROVAL OF MINUTES**

- Approval of December 3, 2018 County Board Organizational Meeting Minutes
- Approval of December 3, 2018 County Board Regular Meeting Minutes

Member O'Neill moved for approval of the minutes, Member Watkins seconded. The minutes were approved by a unanimous roll call vote of 17 ayes.

**II. PROCLAMATIONS AND PRESENTATIONS**

- A Proclamation recognizing Cindy Ireland and Diane Craps of Joe's Barbershop on their retirement
- Chief Judge Update

Chief Judge Paul Gilfillan addressed the Board with regards to an update on Judicial functions. He reported that he will be serving an additional two-year term as Chief Judge of the 10<sup>th</sup> Judicial Circuit of Illinois. He expressed that the people that work for the entire court system, the County Board, and Administration are his reason to serve. He urged that the courts and the Board work collaboratively to accomplish their joint missions and thanked the Board for doing that in the past. He detailed new initiatives to analyze the JDC and a legislative push to raise the legal age limit to 21 for those held in the JDC, which could have an impact on counties and courts. He described the change in the Public Defender to a full-time model and that the judges are considering adding a few more full-time assistant public defenders if the service can be provided efficiently and economically.



### III. CITIZENS' REMARKS

Chairman Rand informed that anyone who speaks with regards to a zoning case may only discuss items covered at the ZBA hearings.

Nathan Wozniak, Project Development Analyst, US Solar, addressed the Board with regards to Item 2. He expressed that there have been many cases before the County and the program for all the solar projects will be launching January 30<sup>th</sup>. He thanked the Board for its service.

Janet Ward, Associate Project Manager, NextEra Energy Resources, addressed the Board with regards to Item 3. She thanked the Board for its consideration of the project and mentioned that the solar market is new and expanding in Illinois.

### IV. CONSENT AGENDA *(including reports to be filed)*

**C1.** The Treasurer report consisting of the Bank and CD's Portfolio for the month of November 2018 and Revenue & Expenditure Reports for the month of October 2018.

**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 from your Public Safety and Justice Committee recommending approval of a budget amendment to the Drug Forfeiture-Sheriff Fund to recognize \$40,000.00 in expenditures and \$50,000.00 in revenues incurred due to unanticipated drug enforcement operations

**C4.** A resolution from your Ways and Means Committee recommending approval of the FY 2019 Legislative Program.

**C5.** Chairman Appointments.

Member Mayer moved to approve the Consent Agenda and Member Salzer seconded. Member Rosenbohm asked to pull Item C3; Member Adamson asked to pull Item C4. The Consent Agenda, except for Items C3 and C4, was approved by a unanimous roll call vote of 17 ayes.

#### **C3. A resolution recommending approval of a budget amendment to the Drug Forfeiture-Sheriff Fund to recognize expenditures and revenues incurred.**

Member Rosenbohm moved to approve Item C3 and Member Fennell seconded. Member Rosenbohm highlighted that the Sheriff confiscated a car through a drug seizure and he was able to purchase a new K-9 unit with the funds from the sale of the car. Item C3 was approved by a unanimous roll call vote of 17 ayes.

#### **C4. A resolution recommending approval of the FY 2019 Legislative Program.**

Member Mayer moved to approve Item C4 and Member Parker seconded. Member Mayer detailed the legislative agenda, identified that the local legislators are pleased with the layout of the requests as well combining the lists for the City, County, and Health Department, and urged an aye vote.



Member Adamson summarized that the request deals with many subject areas and some are controversial. He expressed that the Illinois State Medical Association is against the recreational use of marijuana. He asked about the inclusions of an expansion of the Illinois Motor Fuel Tax and the Grant Accountability and Transparency Act waiver for the Motor Fuel Tax. Mr. Sorrel informed that Kane and DuPage Counties have the right to institute a local gas tax and the request is to include counties that have a population greater than 100,000. He explained that IDOT has determined that the Motor Fuel Tax is a grant, but it is an allotment, and it should be treated as such. Member Mayer conveyed that the tax is audited with a reporting process and GATA would require reporting the same information twice on different forms. Member Adamson requested how the Motor Fuel Tax would be increased if the request became law and Mr. Sorrel explained that it would be by a majority vote of the County Board. Member Adamson discussed that he would vote no on the resolution because the Board needs to do a better job to lower the spend rather than raise taxes. Chairman Rand, Member Mayer, and Member Adamson discussed the current tax levy.

Member Mayer emphasized that the inclusion of other bodies' requests is not an endorsement, only a listing from the three. Member Elsasser conveyed that some of the Board Members may be against the legalization of marijuana and Chairman Rand instructed that the County Board has appointed Member Reliford as liaison to the Board of Health and she may weigh in if she chooses.

Item C4 was approved by a roll call vote of 15 ayes and 2 nays, with Members Adamson and Elsasser voting nay.

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

- 1. Case #079-18-U, Petition of Alec & Jayne Story.** A Special Use as required in Section 20.6.2.1.1.b of the Unified Development Ordinance. This section allows for a special use when a proposed land split does not meet the 40-acre minimum lot size in the A-1 Agricultural Preservation Zoning District. The petitioner proposes to divide 5 acres from an existing 45.01 acre parcel in order to divide an existing single family dwelling from the farmland. The parcel is located in Elmwood Township. The Zoning Board of Appeals recommends approval. The Land Use Committee concurs.

Member Dillon moved to approve the ordinance and Member Windish seconded. The ordinance passed by a unanimous roll call vote of 17 ayes.

- 2. Case #080-18-U, Petition of USS Jubilee Solar, LLC.** A Special Use request from section 20-5.1.3.2.f of the Unified Development Ordinance. This section allows for a special use in the "A-1" Agricultural Preservation Zoning District for a Solar Energy Generation Facility, provided that the conditions in Section 7.17 ("Ground Mounted Solar Energy Equipment"), of these regulations are met. The parcel is located in Princeville Township. The Zoning Board of Appeals recommends approval with restrictions. The Land Use Committee concurs.

Member Dillon moved to approve the ordinance and Member Elsasser seconded. The ordinance passed by a unanimous roll call vote of 17 ayes.

- 3. Case #081-18-U, Petition of DG Illinois Solar, LLC.** A Special Use request from section 20-5.2.2.2.h of the Unified Development Ordinance. This section allows for a special use in the "A-2" Agriculture Zoning District for a Solar Energy Generation Facility, provided that the conditions in Section 7.17 ("Ground Mounted Solar Energy Equipment"), of these regulations are met. The parcel is located in Radnor Township. The Zoning Board of Appeals recommends approval with restrictions. The Land Use Committee concurs.



Member Dillon moved to approve the ordinance and Member Pastucha seconded. Planning and Zoning Director Kathi Urban detailed that the case had 9 objections, all regarding possible development plans that could not be pursued if the petition is approved. Member Adamson asked about how other counties have tried to get the solar farms in more rural areas and not close to residential development. Member Dillon discussed that a study was performed regarding the property values near the project. Member Adamson inquired about the effect that the solar projects have on property values. Member Dillon described that the study found that the development did not affect property values. He noted and confirmed for Members Adamson and Elsasser that the objectors do not own the land, but a developer owning property nearby consents to the project because there is a requirement for a double row of trees on the site. Ms. Urban brought up that the study cited that some individuals built next to solar farms after they were completed.

The ordinance passed by a unanimous roll call vote of 17 ayes.

4. Case #082-18-U, Petition of Sustainable Holdings, LLC. A Special Use request from section 20-5.1.3.2.f of the Unified Development Ordinance. This section allows for a special use in the "A-1" Agricultural Preservation Zoning District for a Solar Energy Generation Facility, provided that the conditions in Section 7.17 ("Ground Mounted Solar Energy Equipment"), of these regulations are met. The parcel is located in Millbrook Township. The Zoning Board of Appeals recommends approval with restrictions. The Land Use Committee concurs.

Member Dillon moved to approve the ordinance and Member Pastucha seconded. The ordinance passed by a unanimous roll call vote of 17 ayes.

5. Case #083-18-U, Petition of Illinois PV Peoria 3, LLC. A Special Use request from section 20-5.2.2.2.h of the Unified Development Ordinance. This section allows for a special use in the "A-2" Agricultural Zoning District for a Solar Energy Generation Facility, provided that the conditions in Section 7.17 ("Ground Mounted Solar Energy Equipment"), of these regulations are met. The parcel is located in Hallock Township. The Zoning Board of Appeals recommends approval with restrictions. The Land Use Committee concurs.

Member Dillon moved to approve the ordinance and Member Elsasser seconded. The ordinance passed by a unanimous roll call vote of 17 ayes.

6. Case #084-18-U, Petition of Illinois PV Peoria 2, LLC. A Special Use request from section 20-5.2.2.2.h of the Unified Development Ordinance. This section allows for a special use in the "A-2" Agricultural Zoning District for a Solar Energy Generation Facility, provided that the conditions in Section 7.17 ("Ground Mounted Solar Energy Equipment"), of these regulations are met. The parcel is located in Limestone Township. The Zoning Board of Appeals recommends approval with restrictions. The Land Use Committee concurs.

Member Dillon moved to approve the ordinance and Member O'Neill seconded. Ms. Urban summarized that there were 33 objections regarding concerns about the view, traffic during construction, obstruction during hunting season, and drainage. She informed that the petitioner believed that the site would have better drainage than row crops and Member Dillon pointed out that a drainage study is required for permitting. Ms. Urban explained that the last objection was over property value, but a study showed the impact would be negligible.

Member Rosenbohm noted that he will vote no on the ordinance because it is in his district and the



residents are his neighbors. Member Dillon highlighted that the Special Use has gone through the first two stages in the process and if a no vote won, those voting no would need to adopt Findings of Fact to deny the petition. He believed that there is no reasonable fact to deny the Special Use. Member Adamson contended that the Board has the responsibility to hear the resident's concern and Chairman Rand provided that two bodies have heard those concerns. Member Pastucha asked about the possibility of being sued for not following the rules and Chairman Rand expressed that the Board must follow its rules. Member Elsasser conveyed that he would not build if he lived near a project and he will be voting no. Chairman Rand summarized the rules regarding zoning cases in front of the Board and Member Dillon reported that there are no findings of fact to deny the Special Use because the landowner has the right to enter an agreement. He mentioned that the developer has tried to address the neighbors' concerns and he will be voting yes. Member Adamson discussed that the Board is voting to allow a change and Member Dillon emphasized that there is not a legal reason for denial. Ms. Urban conveyed that the application is for a Special Use and not a zoning change. Member Elsasser asserted that he will be voting no because the use is not consistent with the use of the land.

The ordinance passed by a roll call vote of 14 ayes and 3 nays, with Members Adamson, Elsasser, and Rosenbohm voting nay.

7. Case #085-18-U, Petition of Illinois PV Peoria 1, LLC. A Special Use request from section 20-5.1.3.2.f of the Unified Development Ordinance. This section allows for a special use in the "A-1" Agricultural Preservation Zoning District for a Solar Energy Generation Facility, provided that the conditions in Section 7.17 ("Ground Mounted Solar Energy Equipment"), of these regulations are met. The parcel is located in Limestone Township. The Zoning Board of Appeals recommends approval with restrictions. The Land Use Committee concurs.

Member Dillon moved to approve the ordinance and Member Pastuscha seconded. The ordinance passed by a roll call vote of 15 ayes and 2 nays, with Members Adamson and Rosenbohm voting nay.

8. A resolution from your County Operations Committee recommending approval of a Collective Bargaining Agreement (CBA) between Peoria County and AFSCME Council 31/Local 3473. (*Pending Committee Approval*)

Member Parker moved to approve the resolution and Member O'Neill seconded. Mr. Sorrel specified the employees covered and the contract language. Member Parker recognized Assistant County Administrator Shauna Musselman and her team for their work and Chairman Rand thanked Member Parker for her work. Ms. Pastucha noted that the agreement will help retain and attract engineers to the Highway Department. The resolution passed by a unanimous roll call vote of 17 ayes.

## **VI. MISCELLANEOUS AND ANNOUNCEMENTS**

Member Pastucha thanked the Planning and Zoning Department for all their work on the solar projects and she expressed that she is excited to see them come into reality.

Member Robinson asked all to attend the Road to Hope fundraiser for Bethel Baptist Church being held on Saturday, January 19<sup>th</sup>, with Mayor Ardis as the guest speaker.

Members Dillon, O'Neill and Chairman Rand discussed the Clemson Football National



Championship.

Mr. Sorrel reported that the Legislative Breakfast will be held Friday, January 11<sup>th</sup> at 8 am at the Gateway Building. Chairman Rand hoped that the Board Members would attend to lean into the legislators about the point of origin/destination for online sales tax.

Chairman Rand announced that PCAPS Director Bridget Domenighini will be leaving Friday, January 11<sup>th</sup>. He remarked that she has done a lot for companion animal adoption, kept in mind public safety, and oversaw improvement projects.

## **VII. ADJOURNMENT**

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