

AGENDA OF THE LEE COUNTY BOARD

APRIL 16, 2007

6:00 P.M.

3RD FLOOR BOARDROOM, OLD LEE COUNTY COURTHOUSE
112 E. SECOND STREET, DIXON, ILLINOIS

OPEN MEETING WITH INVOCATION OR PLEDGE OF ALLEGIANCE

ROLL CALL

ANNOUNCEMENTS

APPROVAL OF BOARD MINUTES OF PREVIOUS MINUTES

PUBLIC/VISITOR COMMENT:

- A. ITEMS ON THE AGENDA – VISITORS ALLOWED 10 MINUTES
- B. ITEMS NOT ON THE AGENDA – VISITORS ALLOWED 5 MINUTES

TO ZONING BOARD: 07-P-1436 - Grandt & Haliczzer - Willow Creek Twp.
07-P-1439 - Villa - Viola Twp.
07-P-1440 - Invenergy Nelson - Nelson Twp.

TO PLANNING COMMISSION: 07-PC- 50 - Haliczzer - Willow Creek Twp. (Willow Creek Estates
Subdivision)

FROM ZONING BOARD: 07-P-1433 - Haliczzer - Willow Creek Twp.

FROM PLANNING COMMISSION:

REPORTS OF COMMITTEE:

FINANCE	R.C.&D. – BLACKHAWK HILLS
CLAIMS	COUNTY SERVICES
SOLID WASTE/HEALTH & WELFARE	911 BOARD
ROAD & BRIDGE	ADMINISTRATIVE SERVICES
COMMITTEE CLAIMS	EXECUTIVE/JUDICIAL/LAW ENFORCEMENT
COUNTY PROPERTIES	

COUNTY OFFICERS REPORTS, REQUEST FOR DEPOSIT OF FUNDS, ORDERS PAID IN VACATION

OLD BUSINESS

NEW BUSINESS

APPOINTMENTS Lori Hillison & Jeff Friday - Ashton Fire District
Joan Sheridan - Lee County Housing Authority

Senior Center - Resolution - 5311 Grant
Ordinance - 5311 Grant

County Clerk - Resolution - Polling Place Change - Dixon 13 & 14
Resolution - Polling Place Change - Palmyra 1,2 & 3

Enterprise Zone - Ordinance - Amending Ordinance #1350

Liquor Commission - Amend Liquor Code - Increase the Number of Class A Licenses

Zoning - Ordinance - Amend Special Use of Permits of Windfarm

State's Attorney Quarterly Report

MILEAGE & PER DIEM

ALL BILLS & APPROPRIATIONS ALLOWED BY ROLL CALL

ADJOURN

LEE COUNTY REGIONAL PLANNING COMMISSION

William O'Keefe, Chairman
Robert Logan, Vice Chairman
James Book, Member
John Hilleson, Member
Wendy Ryerson, Member

Chris Henkel, Zoning Officer
Alice Henkel, Clerk

The Lee County Planning Commission met on Monday, March 5, 2007 at 6:30 p.m. in the Lee County Courthouse, Dixon, Illinois. Chairman William O'Keefe called the meeting to order and took roll with the following members present: Robert Logan, James Book, John Hilleson, Wendy Ryerson and Clerk, Alice Henkel.

The first order of business was the approval of February 2007 minutes. Robert Logan made a motion to approve and John Hilleson seconded it. All were in favor and the minutes were approved.

Mr. O'Keefe asked if anyone present who was not on the agenda and/or had questions or comments on anything not covered in the agenda. There was none.

Mr. O'Keefe then asked Chris Henkel for the Report of Action from the Lee County Board from last month. Mr. Henkel reported the following:

1. Petition 07-P-1438, by Lee County Zoning Office, Amendment to the Home Occupation Ordinance to allow for beauty shops and barber shops to exist in a home. Approved.

Chairman O'Keefe asked if there was any old business and there was.

The first item of old business was Richard Bettner's LESA appeal. Last month Mr. Bettner came before the Planning Commission for a LESA appeal and discovered the wrong parcel had been scored. Mr. Bettner was to identify the correct parcel and Mr. Henkel would rescore it. That was done and the LESA is still too high. Mr. Bettner is here before the Planning Commission again for a LESA appeal.

On this newly identified parcel, the Site Assessment was 154, and the Land Evaluation was 88, totaling 242. The parcel must score below 225 in order to pass the LESA. The parcel is currently farmed and the parcels (5-acre lots) around it are being developed.

Wendy Ryerson stressed the fact that in November 2006, when the LESA workshop was held, it was agreed upon by all parties present; that if a parcel that is zoned Agricultural is treated like a subdivision or a parcel that is zoned Residential, then there would be no end to adjacent development. This is the type of development the LESA is supposed to prevent.

It was the conclusion of the Board that the County would no longer going to take in to consideration the existing development as long as that development occurred in an Agriculture zone, regardless of whether it was approved prior to the existing LESA or prior to the existing zoning ordinances.

After further discussion and review of the map, Robert Logan made a motion to deny waiving the LESA based on the high score the parcel currently received and based on the intentions of the LESA. Wendy Ryerson seconded the motion and all were in favor, resulting in a 5-0 vote.

The first item of new business was Tom Clementz's discussion on his intentions for Browns Beach subdivision should he purchase the property. Mr. Clementz would like to buy Browns Beach from the current owners and separate the lots.

The subdivision is located east of the Rock River Country Club, along the Rock River. It currently has 21 existing cabins or lots, and Mr. Clementz stated the intentions are to turn the existing acreage into 1-acre lots.

Mr. Clementz also stated they would need variances on lot width due to the location of some of the existing cabins.

Chairman O'Keefe stated the roads would need work. The road will ultimately be a public road and will have to meet the standards of the subdivision ordinance. Mr. Henkel added that the road, which is currently private, is approximately 50-foot wide and the County requires 66-foot wide. Mr. Clementz intends to buy the private road as part of the subdivision purchase.

The Board was in support of Mr. Clementz's plans for the pre-existing subdivision. Chairmain O'Keefe stated that Mr. Clementz will need variations to lot widths and to setbacks on the sides and that should not be a problem. He did go on to say, however, Mr. Clementz's main issue of concern is going to be the existing road and creating a dedicated road to meet the County specs and the subdivision ordinance requirements.

The next item of new business was Dick Petit's presentation to the Board regarding the development of 5-acre equestrian lots that would include a custom home and custom barn for each lot. Mr. Petit spoke on behalf of property owner, Stan Griffith. Mr. Petit and Mr. Griffith came before the Board that evening for some guidance, as their LESA scored too high (total: 250).

Mr. Petit provided the Board with the following materials:

- a. Informal Hearing with Lee County Regional Planning Committee, March 5, 2007 (Exhibit A);
- b. Copy of the LESA (Exhibit B);
- c. Article, "The Illinois Horse Industry: The Billion-Dollar Fact\$" (Exhibit C);
- d. A map of showing what currently exists in the area near the property (Exhibit D);
- e. A basic sketch of what the property would look like when divided into 5-acre lots (Exhibit E); and

- f. An aerial photo of the property in question (Exhibit F).

After review of the documents presented and discussion of the equestrian-style subdivision, the matter was deferred to the April 2007 meeting on the basis that the Board has not had a chance to review any of the information provided that evening.

The final item of new business was review of the proposed Junk Car Ordinance. Assistant State's Attorney, Andrew Bollman, was unable to be present; however, County Board Members Marilyn Shipper and Rick Ketchum, and Zoning Board of Appeal Chair, Ron Conderman were present.

Chairman O'Keefe explained that originally the Planning Commission intended to comprehensively revise the nuisance ordinance concept that would have included any items that qualify as a nuisance in the County.

It was then decided to first focus on the junk car aspect of the nuisance ordinance, since it is the biggest complaint, but also to make sure this one is done correctly and is enforceable before amending to include other nuisances.

Chairman O'Keefe wanted to know if the County is seeking a broader ordinance or if it wants to continue perfecting the junk car aspect of the proposed nuisance ordinance.

Marilyn Shippert stated she does not like the terms "unlicensed/unregistered" in the definition. Her concern is for the farmers who may have a few unlicensed or unregistered vehicles on their property that are used strictly for agricultural purposes. She would like those terms removed. She feels this is too strict.

Chairman O'Keefe stated that Tazwell County uses the term, "inoperable," instead of unlicensed or unregistered. Chairman O'Keefe feels what matters is whether the vehicle is operable or inoperable, not unlicensed or unregistered. Chairman O'Keefe and Ms. Shippert agree they would like the terms, "unlicensed/unregistered," changed.

Mr. Ketchum addressed the issue of the number of junk vehicles allowed. He feels the number is not important. He stated one car can be a nuisance or a safety issue. He does not feel a number should define junk vehicles; it should be the condition of the vehicle. He also feels that by putting a number in the ordinance will only put neighbor against neighbor.

It was agreed that any farm equipment, operable/inoperable, can not be touched because the County protects farmers being that Lee County is primarily agricultural.

James Book mentioned that the Board started with junk cars because most of the complaints received involve junk cars. If the County wishes to extend beyond junk cars, it will then have to consider enforceability issues.

ZBA Chairman Ron Conderman also had problems with the definition of the nuisance. He also disagreed using a specific number of allowed junk vehicles in the ordinance. Ms. Ryerson explained that a number was used because it would help make the ordinance easier to enforce.

ZBA Chairman Conderman also stated that he would like to see the two-wheel, pull-behind mobile homes that are clearly dilapidated.

The next issue was enforcement of the ordinance. As it is now, all complaints go to the State's Attorney office for further action. The County Board would like to see a stronger commitment from the State's Attorney's office for enforcement.

Discussion was held for the possibility of hiring a hearing officer for the County who would hear nuisance violation cases and possibly other ordinance violations. It was recommended by the Planning Commission to introduce the idea of a hearing officer to the County Services Committee for their input, since that committee oversees the Zoning Office. Chris Henkel and Marilyn Shippert will address the position to the County Services Committee.

Robert Logan made a motion to adjourn the meeting and Wendy Ryerson seconded it. All were in favor. The meeting was adjourned at 8:15 p.m.

Respectfully submitted,

Alice Henkel, clerk

FINANCE COMMITTEE MEETING
THURSDAY, APRIL 12, 2007
9:00 A.M.

The Lee County Finance Committee met at 9:00 AM at the Old Court House.

Roll Call: Chairman Ketchum, K. Hummel, M. Shippert, J. Nicholson and D. Higgs

Guests: Recorder Nelson, Sheriff Varga, Probation Becker, Brant Scheidecker, Health Dept. Denise Burrs, Circuit Clerk Denise McCaffrey, Marvin Williams, and Treasurer Fritts, Coroner's Office Marty Meyer, and Danny Langloss Dixon PD.

Financial report from Ketchum quarterly budgets report shows income down \$135,000.00. This month will watch.

Treasurer Fritts invited people to IMRF meeting in Rockford.

Dan Langloss spoke on the Peer Jury Program was explained for first time offenders. Program needs \$5,000.00. Jury made up of 12 – 14 to 18 year olds, who look at about 3 dozen cases a year. Each case has a mentor for a year or more. Motion to appropriate \$5,000.00 from Juvenile Justice Youth Commission by Nicholson, seconded by Shippert. Passed 5-0.

Probation needs an appropriation of \$7,000.00 from the JJYC Alternative Detention Grant money. Motion by Shippert, seconded by Higgs. Passed 5-0.

Sheriff reported their new office is up and running along with video system.

Brant Scheidecker salary for office pay roll will be handled by Cathy Meyers in the Records office. We will then make the appropriation next month.

Both Circuit Clerk and Probation remarked that the new assistant has helped a huge amount of work done.

Brant Scheidecker presented a report on GIS recording fees that we will study and act on next month.

Denise Burrs County Health reported a shortage in the TB budget. She will submit a partial claim.

We are short \$525.00 in the accounting budget. Motion to table by Higgs. Passed 5-0. Will investigate.

Chairman Ketchum's alert to watch:

States Attorney contractual services 53% spent.

Courthouse maintenance overtime due to extra work on remodeling sheriff's office.

County Board budget equipment and dues to organizations are over budget.

Insurance and bonds are high again.

Highway overtime is high reimbursements maybe coming.

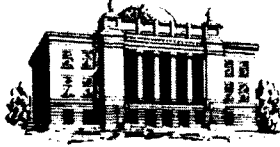
Child support overtime is up, but Denise has it under control.

Capitol projects short due to Sheriff remodeling and late billing of equipment in paperless system.

The Budget process will have some changes this year. See copy of attached letter. Good ideas will be welcomed. 911 needs wage figures over last year to figure percent of subsidy.

Motion to adjourn by Higgs, second by Nicholson. Passed 4-0.

Respectfully,
Dave Higgs



**LEE COUNTY BOARD CHAIRMAN'S OFFICE
OLD LEE COUNTY COURT HOUSE**

112 EAST SECOND STREET
DIXON, IL 61021

April 12, 2007

To All Department Heads:

Enclosed are the Budget Worksheet forms for fiscal year 2007-2008. Please return the forms to the County Board Chairman's office no later than June 14, 2007. Budget hearings will be scheduled as soon as the committee reviews your purposed budget.

I hope to start these hearings in late July.

This budget year I want you to put together your Budget with expected needs, knowing that some contract negotiations will take place during this time. This year I will have the committee go over your proposed budget and have a list of questions ready before we schedule a meeting with your departments. Also, we may give you these questions prior to your scheduled meeting.

Keep in mind that the County can not balance this Budget or any budget in the near future without using Host fees from the landfill. If or when the landfill is closed there will be severe cut backs in most if not all departments.

Sincerely,

Rick Ketchum
Finance Chairman

ORDINANCE NO. _____

WHEREAS, the Lee County Health Department oversees the regulation of Food Service Facilities pursuant to Title 4 of the Lee County Code, and

WHEREAS, the Lee County Health Department has determined that it is in the best interest of the County to make revisions and additions to Title 4, Chapter 7, Food and Food Establishments, and

WHEREAS, the proposed revisions and additions are to sections 4-7-2 Definitions and 4-7-8 Fees.

NOW THEREFORE BE IT RESOLVED THAT THE FOLLOWING REVISIONS BE AND HEREBY ARE ADOPTED AND INCORPORATED BY REFERENCE HEREIN TO TITLE 4 OF THE LEE COUNTY CODE:

DEFINITIONS:

~~Itinerant Restaurant: A restaurant operating for a temporary period in connection with a fair, carnival, circus, public exhibition or other similar gathering.~~

Change to:

Itinerant Facility: A facility operating a temporary event for less than 14 days consecutively and for no more than 3 events per calendar year.

~~Seasonal: Any "food service establishment" or retail "food store" which prepares or serves food more than 14 days but less than 90 days in any one calendar year, or that serves at 3 or more temporary/itinerant events in any one calendar year.~~

Change to:

Seasonal: A facility operating for more than 14 days consecutively or for more than 3 temporary/itinerant events, but operates within a 90 day time span.

Add:

Full Time: A facility operating beyond a 90 day time span within the calendar year.

FEES:

4-7-8 A1

1. After filing an application and submitting payment of the annual permit fee of seventy five dollars (\$75.00) for low risk; ~~one hundred dollars (\$100.00)~~ **one hundred fifty dollars (\$150.00)** for medium risk, ~~two hundred dollars (\$200.00)~~ **three hundred dollars (\$300.00)** for high risk and ~~three hundred (\$300.00)~~ **four hundred twenty five**

dollars (\$425.00) for multi-department high risk establishments, as defined in the Illinois Department of Public Health's "Local Health Protection Grant Rules and Regulations", a permit will be issued on or before January 1 to all food service establishments that are in compliance with the applicable Lee County codes.

4-7-8 A2

~~Temporary or itinerant restaurants or food service establishments as defined in the state department of public health "Rules and Regulations For Food Service Establishments", and not exempted in subsection B of this section, shall pay a per event license fee of thirty dollars (\$30.00). In the case of mobile itinerant restaurants built into vehicles or trailers, each such unit shall be licensed separately on an annual basis.~~

Change to:

Temporary or itinerant facilities operating for profit shall pay a per event license fee of thirty dollars (\$30.00). Facilities operating not for profit are exempt from this fee.

PASSED BY THE LEE COUNTY BOARD

THIS _____ DAY OF _____, 200__

**By: _____
Lee County Board Chairman**

ATTEST:

**_____
Lee County Clerk**

ORDINANCE NO. _____

WHEREAS, the Lee County Health Department oversees the regulation of Sewers and Sewage Disposal pursuant to Title 8 of the Lee County Code, and

WHEREAS, the Lee County Health Department has determined that it is in the best interest of the County to make revisions and additions to Title 8, Chapter 2, Sewers and Sewage Disposal, and

WHEREAS, the proposed revisions and additions are to sections 8-2-5 Private Sewage Disposal Systems, 8-2-8 Alternative Systems, 8-2-9 Disposal System Permits and 8-2-12 Disposal System and Private Water Well Evaluations, Fee.

NOW THEREFORE BE IT RESOLVED THAT THE FOLLOWING REVISIONS BE AND HEREBY ARE ADOPTED AND INCORPORATED BY REFERENCE HEREIN TO TITLE 8 OF THE LEE COUNTY CODE:

PRIVATE SEWAGE DISPOSAL SYSTEMS:

8-2-5:

Add

D. Plastic septic tanks are prohibited.

E. Gravelless (10" and 12" plastic piping with fabric wrap) field tile is prohibited for use in private sewage disposal.

ALTERNATIVE SYSTEMS:

8-2-8 B3a

~~Annual inspection~~ **An inspection every 6 months**, by the installer of aeration pump, mixing motor, lift pumps and any other mechanical parts of the system to ensure the system is functioning properly. If filters or filter socks are used, they must be checked to assure that clogging is not taking place and they are replaced as needed. All expenses required for system maintenance shall be the homeowner's responsibility after the two (2) year warranty period expires. **After the first two (2) year period, this service may be provided by any licensed septic installation contractor who meets the requirements of this code.**

DISPOSAL SYSTEM PERMITS:

8-2-9 C 1a

~~A fee of one hundred twenty five dollars (\$125.00) must accompany each sewage application submitted by a licensed septic contractor.~~ **A fee of one hundred dollars**

(\$100.00) must accompany each sewage application submitted for a tank only installation; or a fee of one hundred fifty dollars (\$150.00) for a new or modified system installation, conducted by a licensed septic contractor. Applications must be filed a minimum of 72 hours prior to installation of a private sewage system.

**DISPOSAL SYSTEM AND PRIVATE WATER WELL EVALUATIONS,
FEE:**

8-2-12

A. For all evaluations of subsurface disposal systems and private water wells conducted by the Lee County Health Department for the purpose of loan requirements, effective January 1, 2003~~8~~, there shall be a fee of ~~one hundred fifty dollars (\$150)~~ **two hundred dollars (\$200.00)**. **For an evaluation of either the private well or the private sewage system for the purpose of loan requirements, effective January 1, 2008, there shall be a fee of one hundred fifty dollars (\$150.00) for either.**

B. A private well evaluation will include one water sample to analyze for coliform and nitrate contamination. If the water sample tests positive for total coliform, one resample of the water supply will be conducted at no additional cost. The homeowner is responsible for making sure all the chlorine is out of the water supply prior to calling this Department out to sample the well. If the water supply still has chlorine in it, a sample cannot be taken, however a charge of **twenty five dollars (\$25.00)** will apply **(if no resample had been taken, this attempt would equal a resample for billing purposes)**. Additional water samples beyond the original and one resample will be subject to lab fees which will be billed at a rate of lab and or postage fees plus ~~ten dollars (\$10.00)~~ **twenty five dollars (\$25.00)** per water sample collected. All fees are to be paid by the requesting party.

C. For all evaluations of subsurface disposal systems and private water wells conducted by the Lee County Health Department for the purpose of determining the existence of such systems for home building and zoning changes, there shall be a fee of ~~twenty five dollars (\$25.00)~~ **forty dollars (\$40.00)**, which will be charged to the individual requesting the evaluation.

PASSED BY THE LEE COUNTY BOARD

THIS _____ DAY OF _____, 200__

**By: _____
Lee County Board Chairman**

ATTEST:

Lee County Clerk

