

EEHW COMMITTEE MEETING
February 21, 2013
5:30 P.M.

MEMBERS PRESENT

Chair Tim Dudley
Jerry Potts
Kevin Greenfield
Kevin Meachum
Patty Cox
Phil Hogan

MEMBERS ABSENT

Merv Jacobs

COUNTY PERSONNEL PRESENT

Jay Dunn, County Board Chairman
Mike Baggett, State's Attorney's Office
Jennifer Hoffman, P&Z
Lt. Jeff Scheibly
Deb Garrett, Env Mgmt
Sheree Zalanka, Health Dept
Jeannie Durham, County Board Office

This meeting was called to order by Chair Tim Dudley at the Macon County Office Building.

MINUTES

Motion to approve the minutes of prior meeting held on 1/17/13, was made by Jerry Potts, seconded by Phil Hogan and motion carried 6-0.

CLAIMS

Motion to approve the claims was made by Patty Cox, seconded by Jerry Potts, and motion carried 6-0.

ZONING

Macon County Board Resolution Regarding Case S-01-02-13, A Petition for Special Use Permit Submitted by Aaron Peck

Jennifer Hoffman reported that S-01-02-13 is a special use permit for Aaron Peck to operate a dog grooming and boarding business. The property is commonly known as 1510 Noble Drive located in Mt. Zion Township which is a highly residential area.

On February 6, 2013 a public hearing was held and based on finding of facts and the rules in the Zoning Ordinance the staff recommended approval with the following stipulations:

1. This Special Use Permit constitutes a license issued to the named Petitioners only. This special use permit is not property nor does it convey any property right. This Special Use Permit would, therefore, not be assignable or transferable.
2. This Special Use Permit would be subject to regulation and/or revocation by Macon County for violation of the stipulations set forth herein.
 - a. This Special Use Permit shall expire immediately upon Petitioners failure to secure or failure to maintain a kennel operator license issued by the Illinois Department of Agriculture - Bureau of Animal Health and Welfare.
 - b. The number of animals kept at the kennel at any one time shall not exceed 10 dogs, inclusive of Petitioner's personal pets.
3. Employees shall be limited to immediate family members living on the premises.
4. The wholesale, retail, and/ or manufacturing of goods is strictly prohibited on the subject property.
5. Advertising signs of any kind are strictly prohibited on the subject property.

6. Normal hours of operation shall be limited to 8 AM to 5 PM Monday thru Saturday.
7. This Special Use Permit would be limited to a period of 3 years and would expire on March 14, 2016.
8. Said property and all operations would remain subject to all other applicable local, county, state, and federal regulations including, but not limited to, the Macon County Zoning Ordinance, the Macon County Nuisance Ordinance, and the Macon County Subdivision Ordinance.

We have businesses in the county, but they are out in the country. This is the first one that would be in a highly residential area if approved. The Zoning Board of Appeals voted 2-2, failure to meet the four concurrent affirmative votes necessary to recommend approval of this Special Use Permit to the Macon County Board. Therefore, the Zoning Board of Appeals does NOT RECOMMEND the issuance of this Special Use Permit.

Kevin Meachum questioned whether the 10 dogs mentioned in the report would be kept inside or outside. It's not in the resolution. That's why I'm asking. Tim Dudley suggested that the question be directed to the owner when he comes up to the podium. Jennifer explained it includes a covered outside area.

Citizen's Remarks – Public Comment (only for remarks on this issue)

Aaron Peck explained the reasons he wants to open this business. For the past 10-12 years, he has worked for communications climbing towers doing cellular work. He had an accident that hurt his shoulder so he had to look for something else he would enjoy doing that would pay the bills and put food on the table for his family. He was looking for something that wouldn't put him on the road so he could be home with his family.

He also pointed out that the picture on the front of the presentation info is not a picture of what his building would look like, but was just a picture he had taken off the internet.

He stated that he wanted to make clear that the business is not leaning toward the boarding portion. There will not be a lot of dogs overnight. There is not a lot of return in boarding. The main point of the business is for grooming and training. The boarding is there as an option because there will be people that ask to have their dogs kept overnight. The plan is for four runs for boarding if anyone wants it and to rotate the grooming dogs so they have a place to go after they are groomed. It keeps them from going out into the yard and getting dirty again.

He addressed Kevin Meachum's question about whether they would be inside or outside by stating that there will be an inside portion to the run, but they can get outside. The outside portion is also on a concrete slab which is under the roof of the building. So, it is basically inside, but outside at the same time. Kevin Meachum clarified that the reason he asked is that this is a residential area and he wants Mr. Peck to be a steward to his neighbors. Mr. Peck agreed absolutely. Mr. Meachum continued, saying that if there are dogs inside and outside, he wants to be sure that they are not going to be a nuisance to neighbors that have kids playing in their yards. They shouldn't have to listen to dogs barking. He said he just wants to make sure that we are respecting everyone in the neighborhood. He asked how far the building would be to Mr. Peck's closest neighbor. Mr. Peck stated that he didn't know exact measurements, but

that it would be put in the back corner of the lot as far away as possible from anybody else's house. One of my concerns was to make sure that there are not problems with the neighbors. I went to all of my close neighbors to be sure they were ok with it. At the time, they all said they were ok with it. Mr. Meachum asked if the closest neighbor said he was ok with it. Mr. Peck said he was at the time, but he changed his mind later. Privacy fences are where they need to go. People can't just drive by and see the dogs in the back. One of the neighbors on the west side asked if they could get a privacy fence and I had no problem with that. As far as dogs inside and outside, the dogs will be inside during evening hours so they won't be a problem to people going by. During the daytime hours, this won't be a big business with a lot of dogs there running around. There are dogs in the neighborhood on just about every lot in this neighborhood anyway. There is a kennel down the street for some hunting dogs that are there all the time. I don't think they will add a lot of noise to the neighborhood. Kevin Meachum asked about the size of the lot. Mr. Peck stated that it is ½ acre.

Gary Brueggemann, 1520 Noble Dr., identified himself as the next door neighbor. He stated that the building is planned to be 42 x 64 which is bigger than any house on the block. He said there is not room on his ½ acre lot for a building of that size and the neighbors are concerned about the smell, traffic, and noise. It's nice and quiet in the neighborhood. If you get a lot of strange dogs out there, all the dogs in the neighborhood will be barking. He distributed a petition stating they don't want it in the neighborhood. The petition was signed by 24 of the 27 neighbors in the surrounding area. He explained that he works third shift and sleeps during the day and his bedroom window is about 60' from that building.

Jerry Potts had a zoning question for Jennifer. He stated that in the city, you can't build an outbuilding larger than the house and wondered if that was the case in the county. Jennifer replied no. Normally, the lots in the county are so big, that isn't an issue.

Lance Schaefer, 1405 Noble Dr. stated that the Pecks are good neighbors and he likes them a lot. They are friendly and he has nothing against them, but he just doesn't believe this is the best thing for the neighborhood. He expressed his concerns about the effect it would have on the resale value of the homes. It's a tough situation for a young couple and I feel for them, but I have to be opposed to it. Mr. Meachum requested Mr. Schaefer point out his residence on the map.

Robert Stalker, 1515 Noble Dr, said there are a lot of people in the neighborhood with dogs and if you bring strange dogs into the area, everybody barks, He questioned what was going to be done with the waste from the dogs. The urine on concrete gets washed off and is in the grass and dirt. Hot and humid weather makes it smell. This is just not ideal for a residential neighborhood. Mr. Meachum requested Mr. Stalker point out his residence on the map.

Pam Brueggemann, same residence as Gary Brueggemann that spoke earlier. Her concern centered around the fact that some of the residents have raised their children in the homes and would one day want to downsize and sell. This business is going to drop the value of the homes, especially theirs since it is right next door to it.

Kevin Greenfield made a motion to deny the petition, seconded by Phil Hogan. Roll was called: Ayes: 6 & Nays: 0. Mr. Potts clarified that an aye would be to deny.

Chair Dudley reminded the applicant and the folks in the audience that even though this was denied at EEHW, it will go before the full board at the next meeting on March 14, 2013 at 6:00 p.m.

SUBDIVISIONS

Minor Subdivision: Two Lot Minor Subdivision Farrellawn Estates Third Addition

Jennifer Hoffman explained that this 2 lot minor subdivision is located in Mt. Zion Township. The owners are Bradley and Regina Wise. The property is located at 1150 S. State Route 121. The lots are zoned R-1 Single Family Estate with Lot 1 (1.72 Ac) and Lot 2 (3.82 Ac). The property has a house with a detached garage on Lot 1. At this time, approval of the subdivision Lot 1 will be a non conforming lot in R-1 Single Family Residential. According to the Macon County Zoning Ordinance in R-1 zoning, a primary building shall be built before an accessory building. To prevent the passage of the non conforming lot, Mike Baggett and I have written a signed agreement with the new landowner. It states that Macon County understands your efforts to build a new residence on this property to make it a conforming lot. Macon County agrees to give you 6 months from today's date of the EEHW Meeting for approval of the subdivision as described to obtain a building permit and start the structure. No further extensions will be granted. Failure to comply with this directive will result in the matter being turned over to the States Attorney for prosecution of the Zoning Ordinance. This agreement was signed by Steve Romano to start building his house soon. This subdivision will be voted on in the Village of Mt. Zion in the first week of March. All fees have been paid and staff recommends approval contingent on the approval of the Village of Mt. Zion. I have talked with them and they are going to approve it.

Motion to approve made by Kevin Greenfield, seconded by Phil Hogan, and motion carried 6-0.

REPORTS

Veterans Assistance

No report

Planning & Zoning

No report

Health Department

Sheree Zalanka reported that all 3 resolutions were approved at the Health Department Board meeting on Tuesday of this past week.

Macon County Board Resolution Approving Increase in Appropriations in the FY 13 Budget for Asthma Grant

The Asthma Grant provides asthma education to worksites and businesses and distributes the tool kit. The Health Dept will assist in education about the Smoke Free Illinois Act; promote the tobacco quit line and provide education about smoke free public places. Health educators will participate in semi annual meetings and will promote community activities for World Asthma Day. The Grant is for \$3,500.

Motion was made by Kevin Greenfield, seconded by Jerry Potts, and motion carried 6-0. Jay Dunn questioned whether the Health Department had done any research on the cost to implement the grant. In the past, some of the small grants may have cost more to implement than the actual amount of the grant. Sheree assured they had distributed the overhead cost based on a percentage that spreads across every program they have. This program will take \$622 of the overhead expenses. The total amount of expense for this grant is \$4,122, but the \$622 overhead expenses is in the admin line right now. There really is not an increase at all. Jay expressed appreciation.

Macon County Board Resolution Approving Increase in Appropriations in the FY 13 Budget for Intensive Prenatal Case Management

Sheree explained this grant comes from the Illinois Department of Human Services and provides case management services to at risk pregnant women. Public Health nurses provide follow up to high risk prenatal clients up to 6 weeks post partum. The goals of the grant are to decrease infant mortality, improve pregnancy outcomes and reduce incidences of prematurity and low birth weight. This grant is for \$180,000.

Motion was made by Phil Hogan, seconded by Kevin Meachum, and motion carried 6-0.

Macon County Board Resolution Approving Increase in Appropriations in the FY 13 Budget for Fussy Baby Research Project

Sheree stated that this project is with the Erikson Institute in Chapin Hall and is designed to compliment healthy families training. This money will be used to fund ongoing training to complete fussy baby practice tools, purchase materials and enhance home visits for families. Funds will also cover contractual workers. This grant runs for 2 years and is for \$60,000.

Motion was made by Kevin Meachum, seconded by Patty Cox, and motion carried 6-0.

Animal Control

Lt. Jeff Scheibly reported that a couple of weeks ago, the speed dating event was held around Valentines Day. There were approximately 15 adoptions spurred from that Saturday event. The adoptions for January were about 20 more than January of last year. The adoptions continue to go up.

We are a contestant in the ASPCA challenge for the first time this year. The contest runs through June, July, & August. We are in the planning stages of coming up with possible solutions which will help us gain some money and win the contest. We are working with the Foundation on that to try to come up with some innovative ways to get people to come out to the shelter.

Kevin Greenfield questioned the number of euthenasiations. (the report that was distributed indicated there were 15 due to owner surrender, 28 domestic, 3 wildlife and 2 had died). Lt. Scheibly affirmed stating that the number is about 30 less than last year. Kevin complimented on the good job.

Lt. Scheibly introduced Michelle Huttes, Vice President of the Decatur / Macon County Animal Shelter Foundation. She stated that they would like to add a 520 sq. ft. addition to the shelter for the purpose of having another free roaming cat room. This should liberate between 20 and 30

cats from cages. The intent is not to increase the population at the shelter, but to improve the quality of life for the cats that are there.

The addition will cause a 4% increase in total square footage at the animal shelter. The approximate increase in maintenance and electricity is expected to be less than 1% over a 30 year period. Hopefully, the room will cause increased adoptions and it would only take one or two adoptions extra per month to cover the additional cost.

The money will be raised through private donations or grants. The project will start as soon as approval has been given. Not all funds have been raised yet.

Kevin Meachum made a motion, seconded by Phil Hogan to approve and the motion carried 6-0.

Regional Office of Education

No report

OLD BUSINESS

None

NEW BUSINESS

None

Citizen's Remarks

Verlin Rosenberger, 356 E. Holiday Dr., Decatur, IL spoke about fracking.

Fracking is the process of pumping millions of gallons of water, sand and toxic chemicals into the ground shale at extreme pressure to release natural gas. It uses so much fresh water that it adds to the drought and water restriction issues. Macon County does not have extra water to use for this kind of thing. Fracking has caused a lot of problems in many places where it is already occurring. There have been places where people have turned on their tap water and it has been very badly discolored and smelly. People have even ignited their water with a match because of all the chemicals that are coming into the water. In Illinois, the shale is too close to the ground water to safely frack. Once the ground water is contaminated with chemicals, we cannot get it back. The Illinois shale is in a seismically active region with 3 magnitude 5 earthquakes in the last 20 years. There is a concern that if this happens again, earthquakes will allow the chemicals to get into the ground water. Methane released during fracking contributes to climate change. It is 20 times more potent than CO2. Illinois shale is highly radioactive and fracking will release that radioactivity. The produced water is toxic and there is no safe storage for it. The Food and Water Watch is an organization that is very concerned about the environment and they have found that employment data that the shale gas development people are reporting will result in not more than 2 jobs per well rather than 125 jobs that the industry says will be produced. I am here this evening because there was an article in the paper today entitled, "Illinois Waits For Fracking Rules" and I just talked with a friend in Bloomington who has been working on this issue and she said that just today, a Fracking Regulation Act has been introduced to the Illinois House by Johnny Bradley. (H. B. 2615) By looking hurriedly through this bill this p.m. we have discovered that if the bill passes, it does not allow the counties in Illinois the right to make the decision themselves. Under this legislation, the Department of Natural Resources can issue

a permit but if the county doesn't like it, they can object, but it doesn't mean that the county will have control over what happens on their own land with their own water and to their own people. McClean County unanimously passed a resolution just this past Tuesday. It states that they want to control what happens in their county and they don't want the State of Illinois passing a law that will allow the oil and natural gas industry to come in and do whatever they want to do. The Southern Illinois Shale is the only place that fracking can occur without as much problem. Our shale is much more shallow. That is not stopping the oil and gas industry from attempting to get land leases in McClean County. If they are doing it there, they will do it in Macon County too. Please take a look at this information and act accordingly.

Shirley Stanley, President of the Decatur / Macon County Animal Shelter Foundation reported that the Speed Dating program was very successful. We have gotten some correspondence and there were some love matches that were made that were very successful. It was an event that was very positively received and there was very excellent media coverage.

Another project going on right now is an art contest for students K-12 in all schools and home schooled students. Approximately 250 art entries that were due at the end of last week have been judged and will be on display at the Decatur Arts Council. The open house will be on March 15. We welcome everybody to come up and take a look. The message was promoting adoption of shelter pets. There were some absolutely wonderful messages integrated into these works of art which we plan to use in future programming.

We will be in the St. Patrick Day parade. All of these things increase visibility for the shelter animals and one of the interesting things is that within the last couple of weeks, I have been stopped randomly by people on the street, in the post office, and in the grocery store. They knew I was connected to the Foundation and they wanted to say thank you for helping with the homeless animals. More and more people are knowing who we are and what we do.

Chair Dudley thanked Shirley for everything she does all the time, but also for the generous donation made in Tim's sister's name who passed away at Christmas time. Thanks to the donations, the Patterson House in Sullivan, who lost their cat right after Christmas, were able to get two bother /sister twin cats at the animal shelter. The residents were very upset at the loss of their cat and were very ecstatic about the new ones.

Jay Dunn commented on three very emotional, hard to make decision topics that are going to be coming up. He expressed hope that the committee would spend a great deal of time studying facts. The topics are 1. The Dewitt Landfill contaminating the aquafir that does cover part of Macon County; 2. The power line that Ameren wants to run through Illinois; and 3. The issue of fracking that we just heard about. I have talked with Tim about the importance of the issues. At the end of the day, you guys need to make the right decision. It's going to take all of your input on studying the whole issues. There's always two sides to each story. This committee has always been good at listening to anyone that wants to talk about issues no matter what side they are on. I am sure you are going to hear that from the different sides. These three things are going to be very important to Macon County and I hope you take it seriously and spend some time considering them.

Also, I will be sending a letter out to all elected officials and department heads in a few days trying to encourage them to attend the oversight committee meetings. We have not seen some of the people here for a while. It's not just here, but all committees. For the Board members to make decisions when it comes to budget time, they need to know what is going on in the departments and offices. Monthly reports of what they are doing and what their needs are are important.

Chair Dudley stated that as he gathers info on the issues, he will forward them on to the committee. He will also send out a memo that office holders and elected officials are expected to be at the monthly meetings.

Environmental Management

Macon County Board Resolution Approving IEPA Grant Award To Macon County Environmental Management Department For Information Marketing As It Pertains To The Landfill Ban On Electronics

Deb Garrett reported that part of the law that bans electronics from landfills mandates that the IEPA award \$2000 to each county coordinator that applied for marketing for the electronics ban. They did not award it last year, but plan to this year. We have submitted a grant and it has been granted. We do not intend to spend any more than the \$2,000.

Motion made by Kevin Meachum, seconded by Patty Cox and motion carried 6-0.

CLOSED SESSION

Jerry Potts made a motion, seconded by Patty Cox, to go to closed session for the purpose of discussion of purchase/rental of real property pursuant to: State Statute Section 2 (c) (5) of the Open Meetings Act.

RETURN TO OPEN SESSION

Macon County Board Resolution Approving Lease at 1750 N. Locust Street, Between Fred Wicker, and Macon County Environmental Management

Motion to approve the lease made by Kevin Greenfield, seconded by Jerry Potts, and motion carried 6-0.

NEXT MEETING

March 21, 2013

ADJOURNMENT

Tim Dudley adjourned the meeting at 6:30 p.m.

Minutes submitted by Jeannie Durham
Macon County Board Office