

SITING, RULES & ORDINANCE SUB-COMMITTEE MEETING
November 5, 2018
5:30 P.M.

MEMBERS PRESENT

Jerry Potts
Helena Buckner
Tim Dudley
Matt Brown

COUNTY PERSONNEL PRESENT

Mike Baggett, State's Attorney's Office
Dianna Heyer, Health Dept
Kathy Wade, Health Dept

MEMBERS NOT PRESENT

Pat Dawson
Rachel Joy
Patty Cox

Jeannie Durham, County Board Office

The meeting was called to order by Chair Jerry Potts at the Macon County Office Building.

MINUTES

Motion to approve the minutes of prior meeting, 9/6/18, made by Mr. Dudley, seconded by Ms. Buckner and motion carried 4-0.

CITIZEN'S REMARKS - None

OLD BUSINESS –

NEW BUSINESS –

Macon County Board Ordinance Amending Title V, Chapter 52, of the Macon County Code (Water Well Permit and Water Supply Ordinance)

Ms. Wade explained that this is a clean up to change the definition of water well permit to match what is in the Illinois Department of Public Health's Code. It also gives the ability to charge for every permit pulled. The current ordinance only allows charging for one permit even if they have to pull 5 or 6 for the property. She explained that now they will be able to charge for all of them.

Motion to forward the Ordinance to the full board with recommendation to approve made by Mr. Brown, seconded by Mr. Dudley and the motion carried 4-0

Macon County Board Ordinance Amending Chapter 91 of the Macon County Code (The Food Sanitation Ordinance)

Ms. Wade explained that all the changes are being mandated by the state and the FDA. She said they have to go to FDA by January 1, 2019. The entire ordinance had to be completely reworked. There were a lot of definition changes. One of the biggest things that restaurant owners will like, but the community may not, is that there will no longer be scores. The other side of that is that now the last routine inspection must be posted in a conspicuous spot so that whenever the public goes into an establishment, they will be able to read the inspections and see what they were

marked down for. There are no longer any points. Mr. Dudley asked what the criteria for closure would now be. Ms. Wade explained about the priority violations, priority foundation violations, & core violations. So, if a Health Department Inspector feels, as they are in the establishment, based on the knowledge gotten from the current Food Code, that they have too many priority violations or priority foundation violations and it is felt that there is an imminent food hazard, they have the right to close them. She said that what she would like to do, since this year will be such a learning year for both the inspectors and the restaurants, and as a way to work with both sides of it and get used to it, by the middle or fall of next year, the number of violations will be looked at and a Rubric for 2020 will be formed. This year will be such a learning curve, it is not felt that it would be fair to say, if you get this, you're closed. This will be an educational year for both sides, but the clauses that if it is an imminent health hazard, the Health Department does have the right to close. So, if the inspectors walk in and see something horrible, they can be closed.

The other thing is, when an establishment was closed previously, they would call and say they're ready, the Health Department would go out and look around, and many times they would not be ready, so they leave. Then the establishment calls again and says they are ready, but they still are not and it's an ongoing thing. The new ordinance puts the responsibility back on the establishment owner. They will have to submit in writing how every one of the violations will be corrected and tell when they want the Health Department to come back out. For that to happen, it will be a \$250 fee to reopen.

The old critical violation fee of \$75 is no longer a critical violation. It is now a priority violation which stays at \$75, but to reopen after closure is a \$250 fee. This covers all the time and effort that is put out and pays for the time and equipment used.

On the current ordinance, when it talks about the renewals, the late fee schedule is changing. They used to get until January 15th before late fees were added. That is being a little too lenient because they are continuously mailed notices. On the permit, it says it expires December 31st. They get the first renewal notice between Veteran's Day and Thanksgiving. They have 6 weeks notice that they have to pay this by the end of the year. That will now be January 1st or they will have a \$50 late fee. They used to have until February 1st before there was a \$100 late fee. That is now being changed to January 15th. It just means they have to be responsible and pay it. Instead of February 7th for closure plus the \$100 late fee, it will now be February 1st plus a \$200 late fee. By then, they've gotten the first renewal in November, a 2nd renewal notice in mid-December and a 3rd notice in the first part of January and a 4th one at the end of January normally. That will be adjusted a little with the new ordinance, but they should not have to be reminded 4 times to pay something so they can stay in business. Mr. Brown asked about the amount of the annual renewals. Ms. Wade said it depends on the category. A Category 1 facility, such as Cheddars or Texas Roadhouse is \$600 a year. Mr. Brown asked about the minimum. Ms. Wade said \$200.

Chair Potts commented that this has been approved by the Board of Health.

Motion to forward the Ordinance to the full board with recommendation to approve made by Mr. Dudley, seconded by Mr. Brown and the motion carried 4-0

Ms. Wade added that one more thing they are doing, because they know it is a huge change for everybody is that when they get their renewal, they will get a packet explaining the key changes and the Civic Center has been reserved for December 10th for two sessions at 10 a.m. & 2 p.m. for any restaurant owner to come and see a Power Point presentation that goes over the key changes. They also received notice with last year's renewal that they were going to the FDA so they've had an entire year to look at it themselves. We will try to give them as much training as we can prior to coming out and doing the inspections.

CLOSED SESSION - None

ADJOURNMENT

Motion to adjourn made by Mr. Brown, seconded by Ms. Buckner, motion carried 4-0 and the meeting adjourned at 5:45 p.m.

Minutes submitted by Jeannie Durham, Macon County Board Office